

CITY OF LABELLE



AGENDA

Regular Commission Meeting

Thursday, February 12, 2026, at 5:30 PM

LaBelle Commission Chambers

481 West Hickpochee Ave

LaBelle, FL 33975

CITY COMMISSION:

Julie C. Wilkins, Mayor

Kevin Holland, Commissioner

Jackie Ratica, Commissioner

Bobbie Spratt, Commissioner

Hugo Vargas, Commissioner

ADMINISTRATION:

Tijauna Warner, MPA, MMC, Deputy City Clerk

Derek Rooney, Esq., City Attorney

Mitchell Wills, Superintendent PW

Agenda

1. **Call to Order**
2. **Invocation and Pledge of Allegiance**
3. **Roll Call**
4. **Additions of Emergency Basis From Mayor, Deletions and Approval of Agenda Items**
5. **Presentations**
6. **Consent Agenda Items for Consideration**

(Any commissioner or citizen may request to have an item removed from the consent agenda and placed on the regular agenda for further discussion.)

A. Approval of January Check Register

B. Approval of *Month* Minutes:

January 8, 2026 Local Planning Agency Meeting Minutes

January 8, 2026 City Commission Meeting Minutes

February 3, 2026 City Commission Comprehensive Plan Workshop Minutes

C. Approval of Staff Reports:

-HCSO- Lt. Allen Hudson

-Fire Department- Chief Brent Stevens

-Building Department- Mark Lynch

-Code Enforcement- Zane Mungillo

D. Accurate Drilling Systems, Inc Agreement (ITB 2025-02 Helms Road Water Main Extension)

E. Fire Department Pension True Up - Chief Brent Stevens

F. Three (3) Vehicle Disposition of Property Report (Auction)

G. FDEP Consent Order Case No. 25-1567

H. RESOLUTION 2026-06 A RESOLUTION OF CITY OF LABELLE, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

7. **Non-Public Hearing Items for Consideration**

(Limited to 15 minutes per item: 3-5 minutes optional presentation time with the remaining time for discussion by the Commission)

A. RESIDENCE AT GRAND OAKS TREE REMOVAL PERMIT

B. Southern Swamp Gala Temporary Use & Special Events Application #1802 - SW Florida Heros Foundation Inc.

- C.** Waste Connections Annual Rate Adjustment - Antonio Barrett
- D.** State Road 80 Overlay District Permitted uses within Section 4-87.3 - Alexis Crespo
- E.** Animal Control - Linda Phillips

8. Public Hearings and/or Ordinances

- A.** ORDINANCE 2025-08 AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING ORDINANCE 2020-13 FOR THE LABELLE RIVERSIDE PLANNED UNIT DEVELOPMENT LOCATED IMMEDIATELY SOUTH OF COWBOY WAY AND ¼ MILE EAST OF DR. MARTIN LUTHER KING JR. BLVD; AMENDING THE CONDITIONS OF APPROVAL; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
- B.** RESOLUTION 2026-04 A RESOLUTION OF THE CITY OF LABELLE, FLORIDA, ALLOWING FOR A VARIANCE FROM THE RESIDENTIAL NEIGHBORHOOD URBAN (RNU) ZONING DISTRICT DEVELOPMENT REGULATIONS ESTABLISHED IN THE LAND DEVELOPMENT CODE SECTION 4-76(A) THAT REQUIRES AN ACCESSORY SIDE SETBACK OF 7.5 FEET; TO ALLOW FOR A 5-FOOT SIDE YARD SETBACK FOR AN ACCESSORY STRUCTURE AT THE SUBJECT PROPERTY LOCATED AT 990 TROPICANA STREET; IN THE CITY OF LABELLE, FLORIDA; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
- C.** RESOLUTION 2026-05 A RESOLUTION OF THE CITY OF LABELLE, FLORIDA, ALLOWING FOR AN EXTENSION OF A SPECIAL EXCEPTION IN THE CITY OF LABELLE; TO ALLOW FOR A CAR WASH IN THE STATE ROAD 80 OVERLAY DISTRICT AT THE SUBJECT PROPERTY LOCATED AT 240 & 250 SELMA DANIELS AVENUE, CITY OF LABELLE, FLORIDA; PROVIDING FOR IDENTIFICATION OF THE SUBJECT PROPERTY; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

9. Public Comment on Non-Agenda Items

(Limited to 3 minutes per person)

10. City Related Business by Commissioners

11. Adjournment

Upcoming Meetings:

March 12, 2026 LPA/City Commission Meeting

*Be advised that the Commission may take action on items not listed on the agenda.

City of Labelle Office Closures:

February 16, 2026 Presidents Day

Meeting Records Request

Any person requesting the appeal of a decision of the City Commission will require a verbatim record of the proceedings and for that purpose will need to ensure that such verbatim record is made. Pursuant to

FS. 286.0105, the record must include the testimony and evidence upon which the appeal is to be based. The City of LaBelle does not prepare or provide such verbatim record.

Notice of Commission Meetings and Agendas

The second Thursday of each month are regular meeting dates for the City Commission; special or workshop meetings may be called, whenever necessary. Commission Agendas are posted on the City's website on the Friday prior to each Commission meeting. A copy of the meeting audio and the complete agenda may be requested at tiawarner@citylabelle.com or 863-675-2872.

Americans with Disabilities Act

In accordance with the provisions of the Americans with Disabilities Act (ADA), this document can be made available in an alternate format upon request. Special accommodations can be provided upon request with five (5) days advance notice of any meeting, by contacting Deputy City Clerk Tijauna Warner at LaBelle City Hall, 481 W. Hickpochee Avenue, LaBelle, Florida. Phone No. 863-675-2872. Hearing Assistance: If hearing impaired, contact Florida Relay at 800-955-8771 (TDD) or 800-955-8770 (Voice), for assistance. (Reference: Florida Statute 286.26)

Range of Checking Accts: First to Last Range of Check Dates: 01/01/26 to 01/31/26
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
GEN FUND POOLED		GENERAL FUND POOLED CASH			
92281	01/06/26	CENTLINK CENTURYLINK	384.09	01/31/26	9788
92282	01/06/26	CHS CALOOSA HUMANE SOCIETY	359.00	01/31/26	9788
92283	01/06/26	CLINK CENTURYLINK	448.30	01/31/26	9788
92284	01/06/26	COMCAST COMCAST	227.22	01/31/26	9788
92285	01/06/26	CTTF COUNTY TRANSPORTATION TRST FND	5,528.48	01/31/26	9788
92286	01/06/26	FPL FLORIDA POWER & LIGHT	18,263.39	01/31/26	9788
92287	01/06/26	GAFS GREAT AMERICA FINANCIAL SVCS	345.96	01/31/26	9788
92288	01/06/26	HO HOMERO OLIVAREZ, JR	225.00	01/31/26	9788
92289	01/06/26	LAWRE005 LAWRENCE H. O'FERRELL	1,700.00	01/31/26	9788
92290	01/06/26	SHRED SHRED-IT USA	388.17	01/31/26	9788
92291	01/06/26	SPRATT SPRATT AND ASSOCIATES LLC	7,500.00	01/31/26	9788
92292	01/06/26	WLMINC WOLFF'S LAWN MACHINES INC	541.95	01/31/26	9788
92293	01/06/26	CAPG005 C.A.P. GOVERNMENT, INC	736.00		9791 Direct Deposit
92294	01/06/26	DATAMARS DATAMARS INC	516.56		9791 Direct Deposit
92295	01/06/26	INM INDEPENDENT NEWSMEDIA INC USA	411.42		9791 Direct Deposit
92296	01/06/26	LDRC LABELLE DOWNTOWN	1,741.00		9791 Direct Deposit
92297	01/06/26	MUNES MES SERVICE COMPANY LLC	2,618.25		9791 Direct Deposit
92298	01/06/26	ORKINPC ORKIN, LLC	65.00		9791 Direct Deposit
92299	01/07/26	FRS FLORIDA RETIREMENT SYSTEM	33,192.00		9794
92280	01/09/26	SOFDU ST OF FL. DISBURSEMENT UNIT	127.34	01/31/26	9787
92301	01/13/26	AFL AMERICAN FAMILY LIFE ASSR CO.	782.55		9797
92302	01/13/26	ALLSTATE AMERICAN HERITAGE LIFE INS CO	586.16	01/31/26	9797
92303	01/13/26	COLW CITY OF LABELLE, WATER & SANIT	6,278.48	01/31/26	9797
92304	01/13/26	FMPT2 FLORIDA MUNICIPAL PENSION TRST	26,187.21	01/31/26	9797
92305	01/13/26	GRAYROB GrayRobinson Attorneys At Law	6,780.00	01/31/26	9797
92306	01/13/26	HLRB HENDRY-LABELLE REC BOARD	57,593.75	01/31/26	9797
92307	01/13/26	LEGALSH LEGAL SHIELD	73.75	01/31/26	9797
92308	01/13/26	NATIO010 NATIONAL RESCUE CONSULTANTS	1,160.00	01/31/26	9797
92309	01/13/26	SFLOC SOUTHWEST FL LEAGUE OF CITIES	250.00	01/31/26	9797
92310	01/13/26	TMOBI005 T-MOBILE USA INC.	1,189.65	01/31/26	9797
92311	01/13/26	VAH VISION ACE HARDWARE-LABELLE	0.00	01/13/26 VOID	0
92312	01/13/26	VAH VISION ACE HARDWARE-LABELLE	2,399.88	01/31/26	9797
92313	01/13/26	WLMINC WOLFF'S LAWN MACHINES INC	285.74	01/31/26	9797
92314	01/13/26	AES AIM ENGINEERING & SURVEYING	5,858.25		9800 Direct Deposit
92315	01/13/26	GLMEDIA GLADES MEDIA COMPANY LLC	1,084.00		9800 Direct Deposit
92316	01/13/26	LILLI005 LILLIAN M DAVENPORT	213.60		9800 Direct Deposit
92317	01/13/26	LNATL GLOBE LIFE	446.88		9800 Direct Deposit
92318	01/13/26	PRM5 PUBLIC RISK MANAGEMENT	88,181.75		9800 Direct Deposit
92319	01/13/26	SSW SHARON SANDERS WHITE	165.00		9800 Direct Deposit
92320	01/13/26	THEPI005 THE PIN CENTER	1,400.00		9800 Direct Deposit
92385	01/15/26	FLDEP007 BUSINESS & PROFESSIONAL REG	724.89		9823
92300	01/16/26	SOFDU ST OF FL. DISBURSEMENT UNIT	127.34	01/31/26	9796
92321	01/21/26	AAP ADVANCE AUTO PARTS	521.97	01/31/26	9802
92322	01/21/26	ALLSTATE AMERICAN HERITAGE LIFE INS CO	2,243.32		9802
92323	01/21/26	AMARINES A.MARINES ROAD SERV & TIRE INC	40.00	01/31/26	9802
92324	01/21/26	BOBBIES BOBBIE SPRATT	205.00	01/31/26	9802
92325	01/21/26	C-000010 JESSICA Y ESTRADA	250.00	01/31/26	9802
92326	01/21/26	C-000011 CELIA SANCHEZ	500.00		9802
92327	01/21/26	DAVID020 DAVID HUBBARD	273.11	01/31/26	9802

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
GEN FUND POOLED	GENERAL FUND POOLED CASH	Continued			
92328	01/21/26	FPL FLORIDA POWER & LIGHT	1,558.87	01/31/26	9802
92329	01/21/26	HUGVAR HUGO VARGAS	735.23	01/21/26 VOID	9802 (Reason: ADJUST AMOUNT)
92330	01/21/26	ISBC IPITOMY SMARTER BUSINESS COMMU	73.44	01/31/26	9802
92331	01/21/26	JCW JULIE CRAICY WILKINS	205.00		9802
92332	01/21/26	JRATICA JACQUELINE RATICA	726.74	01/31/26	9802
92333	01/21/26	KEVIN KEVIN HOLLAND	776.74		9802
92334	01/21/26	LCBOCC LEE COUNTY SOLID WASTE	93.01	01/31/26	9802
92335	01/21/26	MGL MGL PRINTING SOLUTIONS	185.50		9802
92336	01/21/26	CQL CAPTAINS QUICK LUBE	119.95		9805 Direct Deposit
92337	01/21/26	ESO ESO SOLUTIONS, INC.	2,290.65		9805 Direct Deposit
92338	01/21/26	PRM PUBLIC RISK MANAGEMENT	62,255.97		9805 Direct Deposit
92339	01/21/26	PRM5 PUBLIC RISK MANAGEMENT	25,670.00		9805 Direct Deposit
92340	01/21/26	SUPPLYL SUPPLYLINE	647.72		9805 Direct Deposit
92341	01/23/26	SOFDU ST OF FL. DISBURSEMENT UNIT	127.34	01/31/26	9807
92343	01/28/26	BCC BOARD OF COUNTY COMMISSIONERS	2,147.85		9809
92344	01/28/26	COLW CITY OF LABELLE, WATER & SANIT	3,793.51		9809
92345	01/28/26	COLW2 CITY OF LABELLE WATER AND SANI	3,205.02		9809
92346	01/28/26	CTTF COUNTY TRANSPORTATION TRST FND	122.83		9809
92347	01/28/26	ESTIRE ES TIRE CENTER, LLC	25.00		9809
92348	01/28/26	FPL FLORIDA POWER & LIGHT	2,877.55		9809
92349	01/28/26	PBBI PITNEY BOWES BANK INC	201.00		9809
92350	01/28/26	PBGFS PITNEY BOWES GLOBAL FINANCIAL	145.71		9809
92351	01/28/26	POCI PORTERFIELD OIL COMPANY, INC.	175.00		9809
92352	01/28/26	SAMGF SAM GALLOWAY FORD	55,739.00		9809
92353	01/28/26	CHPC0005 CPH CONSULTING, LLC	7,800.00		9811 Direct Deposit
92354	01/28/26	CULL CULLIGAN WATER	174.50		9811 Direct Deposit
92355	01/28/26	FONRO005 FONROCHE LIGHTING AMERICA INC	4,812.00		9811 Direct Deposit
92356	01/28/26	JLRFI005 JLR FIRE INSPECTIONS LLC	2,600.00		9811 Direct Deposit
92357	01/28/26	MUNES MES SERVICE COMPANY LLC	33,447.32		9811 Direct Deposit
92358	01/28/26	PTLLC PROTECTED TRUST LLC	3,602.66		9811 Direct Deposit
92359	01/28/26	QUALITY QUALITY 1 AUTO CARE INC	2,158.92		9811 Direct Deposit
92360	01/28/26	RVE RVE, INC. D/B/A RVI	7,275.00		9811 Direct Deposit
92361	01/28/26	SSW SHARON SANDERS WHITE	165.00		9811 Direct Deposit
92362	01/28/26	AFL AMERICAN FAMILY LIFE ASSR CO.	626.04		9813
92363	01/28/26	AFL AMERICAN FAMILY LIFE ASSR CO.	2,507.05		9813
92364	01/28/26	BILLB005 Bill Branch Chevrolet Inc.	41,893.50		9813
92365	01/28/26	LEGALSH LEGAL SHIELD	73.75		9813
92366	01/28/26	BSS BUSINESS SERVICES & SOLUTIONS	177.00		9815 Direct Deposit
92367	01/28/26	LNATL GLOBE LIFE	558.60		9815 Direct Deposit
92368	01/29/26	HUGVAR HUGO VARGAS	735.23		9816
92342	01/30/26	SOFDU ST OF FL. DISBURSEMENT UNIT	127.34		9808

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	59	2	295,825.72	735.23
Direct Deposit:	29	0	257,193.00	0.00
Total:	88	2	553,018.72	735.23

UTILITY DEPOSIT	Water Revenue Deposit				
2667	01/06/26	U-000306	STATE CONTRACTOR & ENGINEERING	461.40	01/31/26 9789
2668	01/13/26	U-000307	SAUCEDA, JUAN JR	171.93	01/31/26 9798
2669	01/13/26	U-000308	TOMAS MIGUEL, TELMA	90.76	01/31/26 9798
2670	01/13/26	U-000309	BRIERS, JOHN MICHAEL	46.42	9798
2671	01/13/26	U-000310	WINTERS, CHEYENNE HOPE	310.84	01/31/26 9798

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
UTILITY DEPOSIT Water Revenue Deposit					
Continued					
2672	01/21/26	U-000311 FREEMAN, HANNAH ALETHA	73.06	01/31/26	9803
2673	01/21/26	U-000312 WOOSLEY, MARA GAIL	65.49		9803
2674	01/21/26	U-000313 CAIN, REGINA	221.66		9803

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	8	0	1,441.56	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	8	0	1,441.56	0.00

UTILITY POOLED	UTILITY FUND	POOLED CASH			
1244	01/06/26	CENTLINK CENTURYLINK	128.03		9790
1245	01/06/26	CLINK CENTURYLINK	285.51		9790
1246	01/06/26	CTTF COUNTY TRANSPORTATION TRST FND	268.36		9790
1247	01/06/26	FPL FLORIDA POWER & LIGHT	22,902.58		9790
1248	01/06/26	POL POSTMASTER - LABELLE, FL.	1,500.00		9790
1249	01/06/26	SHRED SHRED-IT USA	129.39		9790
1250	01/06/26	SPRATT SPRATT AND ASSOCIATES LLC	7,500.00		9790
1251	01/06/26	FDEP FL DEPT OF ENVIRONMENTAL PROT.	8,272.48	01/06/26 VOID	9792 Direct Deposit (Reason: REAPPLY EXPENSE)
1252	01/06/26	TETRA005 TETRA TECH, INC	7,140.00		9792 Direct Deposit
1253	01/06/26	USAB USA BLUEBOOK	2,279.95		9792 Direct Deposit
1254	01/06/26	UTISOL UTILITY SOLUTIONS & AUTOMATION	25,174.55		9792 Direct Deposit
1255	01/06/26	WOODARD WOODARD & CURRAN INC	151,552.42		9792 Direct Deposit
1256	01/06/26	FDEP FL DEPT OF ENVIRONMENTAL PROT.	8,272.48		9793 Direct Deposit
1257	01/07/26	FRS FLORIDA RETIREMENT SYSTEM	7,516.80		9795
1258	01/13/26	JRFSI J RAMIREZ FAMILY SEPTIC INC	785.00		9799
1259	01/13/26	VAH VISION ACE HARDWARE-LABELLE	156.03		9799
1260	01/13/26	PRM5 PUBLIC RISK MANAGEMENT	74,452.25		9801 Direct Deposit
1261	01/21/26	AAP ADVANCE AUTO PARTS	155.04		9804
1262	01/21/26	FPL FLORIDA POWER & LIGHT	1,243.74		9804
1263	01/21/26	ISBC IPITOMY SMARTER BUSINESS COMMU	24.48		9804
1264	01/21/26	WSC WINDMILL SPRINKLER CO., INC.	314.77		9804
1265	01/21/26	BMI BADGER METER INC.	590.04		9806 Direct Deposit
1266	01/21/26	CQL CAPTAINS QUICK LUBE	84.95		9806 Direct Deposit
1267	01/21/26	PRM PUBLIC RISK MANAGEMENT	9,940.77		9806 Direct Deposit
1268	01/21/26	UTISOL UTILITY SOLUTIONS & AUTOMATION	11,210.00		9806 Direct Deposit
1269	01/21/26	WOODARD WOODARD & CURRAN INC	10,000.00		9806 Direct Deposit
1270	01/28/26	COLW2 CITY OF LABELLE WATER AND SANI	2,337.95		9810
1271	01/28/26	FPL FLORIDA POWER & LIGHT	9,492.48		9810
1272	01/28/26	HCTC HENDRY COUNTY TAX COLLECTOR	22,855.41		9810
1273	01/28/26	PBGFS PITNEY BOWES GLOBAL FINANCIAL	48.57		9810
1274	01/28/26	POL POSTMASTER - LABELLE, FL.	1,500.00		9810
1275	01/28/26	WASTEC WASTE CONNECTIONS INC	94,359.58		9810
1276	01/28/26	WILADA US WATER SERVICE CORP	125,420.05		9810
1277	01/28/26	CULL CULLIGAN WATER	50.00		9812 Direct Deposit
1278	01/28/26	KBPI K&B PUMP & ELECTRICAL, LLC	50,474.68		9812 Direct Deposit
1279	01/28/26	KGAUSE KATHARINA GAUSE	150.00		9812 Direct Deposit
1280	01/28/26	PTLLC PROTECTED TRUST LLC	450.34		9812 Direct Deposit
1281	01/28/26	TETRA005 TETRA TECH, INC	11,770.00		9812 Direct Deposit
1282	01/28/26	WOODARD WOODARD & CURRAN INC	6,250.00		9812 Direct Deposit
1283	01/28/26	TRIPP005 TRIPP ELECTRIC MOTORS, INC.	9,807.49		9814

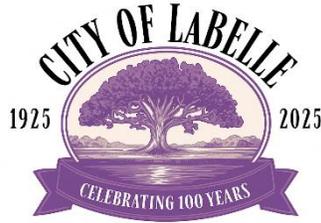
Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
UTILITY POOLED UTILITY FUND POOLED CASH Continued					
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u> <u>Amount Void</u>
	Checks:		22	0	308,731.26 0.00
	Direct Deposit:		17	1	369,842.43 8,272.48
	Total:		<u>39</u>	<u>1</u>	<u>678,573.69</u> <u>8,272.48</u>
Report Totals					
	Checks:		89	2	605,998.54 735.23
	Direct Deposit:		46	1	627,035.43 8,272.48
	Total:		<u>135</u>	<u>3</u>	<u>1,233,033.97</u> <u>9,007.71</u>

Totals by Year-Fund					
Fund Description	Fund	Expend Total	Revenue Total	G/L Total	Total
WATER FUND	5-041	1,940.00	0.00	0.00	1,940.00
SEWER FUND	5-042	8,060.00	0.00	0.00	8,060.00
	Year Total:	10,000.00	0.00	0.00	10,000.00
GENERAL FUND	6-001	526,936.43	0.00	26,082.29	553,018.72
WATER FUND	6-041	295,635.35	0.00	0.00	295,635.35
SEWER FUND	6-042	278,578.76	0.00	0.00	278,578.76
SANITATION OPERATION FUND	6-043	94,359.58	0.00	0.00	94,359.58
	Year Total:	1,195,510.12	0.00	26,082.29	1,221,592.41
WATER FUND	x-041	353.64	0.00	0.00	353.64
SEWER FUND	x-042	891.50	0.00	0.00	891.50
SANITATION OPERATION FUND	x-043	196.42	0.00	0.00	196.42
	Year Total:	1,441.56	0.00	0.00	1,441.56
Total of All Funds:		1,206,951.68	0.00	26,082.29	1,233,033.97

Totals by Fund					
Fund Description	Fund	Expend Total	Revenue Total	G/L Total	Total
GENERAL FUND	001	526,936.43	0.00	26,082.29	553,018.72
WATER FUND	041	297,928.99	0.00	0.00	297,928.99
SEWER FUND	042	287,530.26	0.00	0.00	287,530.26
SANITATION OPERATION FUND	043	94,556.00	0.00	0.00	94,556.00
Total of All Funds:		1,206,951.68	0.00	26,082.29	1,233,033.97

Fund Description	Fund	Current	Prior Rcvd	Prior Open	Paid Prior	Fund Total
WATER FUND	5-041	1,940.00	0.00	0.00	0.00	1,940.00
SEWER FUND	5-042	8,060.00	0.00	0.00	0.00	8,060.00
Year Total:		10,000.00	0.00	0.00	0.00	10,000.00
GENERAL FUND	6-001	526,936.43	0.00	0.00	0.00	526,936.43
WATER FUND	6-041	295,635.35	0.00	0.00	0.00	295,635.35
SEWER FUND	6-042	278,578.76	0.00	0.00	0.00	278,578.76
SANITATION OPERATION FUND	6-043	94,359.58	0.00	0.00	0.00	94,359.58
Year Total:		1,195,510.12	0.00	0.00	0.00	1,195,510.12
WATER FUND	x-041	353.64	0.00	0.00	0.00	353.64
SEWER FUND	x-042	891.50	0.00	0.00	0.00	891.50
SANITATION OPERATION FUND	x-043	196.42	0.00	0.00	0.00	196.42
Year Total:		1,441.56	0.00	0.00	0.00	1,441.56
Total of All Funds:		1,206,951.68	0.00	0.00	0.00	1,206,951.68

CITY OF LABELLE



MINUTES

Local Planning Agency Meeting
Thursday, January 08, 2026, at 5:30 PM

LaBelle Commission Chambers
481 West Hickpochee Ave
LaBelle, FL 33975

CITY COMMISSION:

Julie C. Wilkins, Mayor
Kevin Holland, Commissioner
Jackie Ratica, Commissioner
Bobbie Spratt, Commissioner
Hugo Vargas, Commissioner

ADMINISTRATION:

Tijauna Warner, MPA, MMC, Deputy City Clerk
Derek Rooney, Esq., City Attorney
Mitchell Wills, Superintendent PW

Minutes

1. Call to Order

The meeting was called to order by Mayor Wilkins at 5:30 PM.

2. Roll Call

PRESENT

Mayor Julie C. Wilkins

Vice Mayor Jackie Ratica

Commissioner Bobbie Spratt

Commissioner Hugo Vargas

Commissioner Kevin Holland

City Attorney Derek Rooney

Deputy City Clerk Tijauna Warner

3. Invocation and Pledge of Allegiance

Commissioner Holland led the invocation, Vice Mayor Ratica led the Pledge of Allegiance.

4. New Business

A. ORDINANCE 2026-01 WAWA CPA

B. ORDINANCE 2026-02 WAWA PUD

Motion made by Commissioner Spratt to continue Ordinance 2026-01 and Ordinance 2026-02 to February 12, 2026 Local Planning Agency Meeting, Seconded by Commissioner Vargas. Mayor Wilkins called for the question. Motion passed unanimously.

Voting Yea: Mayor Wilkins, Vice Mayor Ratica, Commissioner Spratt, Commissioner Vargas, Commissioner Holland

5. Adjournment

There being no further business to discuss, Mayor Wilkins adjourned the meeting at 5:32 PM.

Julie C. Wilkins, Mayor

ATTEST: Tijauna Warner, MPA, MMC, City Clerk

CITY OF LABELLE



MINUTES

Regular Commission Meeting

Thursday, January 08, 2026, at 5:30 PM

LaBelle Commission Chambers

481 West Hickpochee Ave

LaBelle, FL 33975

CITY COMMISSION:

Julie C. Wilkins, Mayor
Kevin Holland, Commissioner
Jackie Ratica, Commissioner
Bobbie Spratt, Commissioner
Hugo Vargas, Commissioner

ADMINISTRATION:

Tijauna Warner, MPA, MMC, Deputy City Clerk
Derek Rooney, Esq., City Attorney
Mitchell Wills, Superintendent PW

Minutes

1. Call to Order

The meeting was called to order by Mayor Wilkins at 5:33 PM.

2. Roll Call

PRESENT
Mayor Julie C. Wilkins
Vice Mayor Jackie Ratica
Commissioner Bobbie Spratt
Commissioner Hugo Vargas
Commissioner Kevin Holland
City Attorney Derek Rooney
City Deputy Clerk Tijauna Warner

3. Invocation and Pledge of Allegiance

Waived.

4. Additions of Emergency Basis From Mayor, Deletions and Approval of Agenda Items

A. RESIDENCE AT GRAND OAKS TREE REMOVAL PERMIT

Motion made by Commissioner Spratt to continue the Residence at Grand Oaks Tree Removal Permit to the February 12, 2026 City Commission Meeting, Seconded by Commissioner Vargas. Mayor Wilkins called for the question. Motion passed unanimously.
Voting Yea: Mayor Wilkins, Vice Mayor Ratica, Commissioner Spratt, Commissioner Vargas, Commissioner Holland

5. Presentations

A. Bridge Financing for Capital Improvement Grants

Nicklas Rocca (Director) PFM Financial Advisors LLC presented bridge financing options to the City Commission for Capital Improvement Grants.

Motion made by Commissioner Spratt to approve PFM to seek bridge financing, Seconded by Commissioner Holland. Mayor Wilkins called for the question. Motion passed unanimously.
Voting Yea: Mayor Wilkins, Vice Mayor Ratica, Commissioner Spratt, Commissioner Vargas, Commissioner Holland

Commissioner Holland presented Lt. Allen Hudson with the Law Enforcement Appreciation Day Proclamation on behalf of the City of LaBelle City Commission.

B. Drawbridge Painting - Clay Patterson Baird

Clay Patterson Baird presented two paintings as a donation to the City.

Virginia Yarce presented a request to add a fountain to the Arts of the Inland Gallery.

Motion made by Commissioner Spratt to approve Arts of the Inland Gallery moving forward with their project and inputting the fountain, Seconded by Commissioner Holland. Mayor Wilkins called for the question. Motion passed unanimously. Voting Yea: Mayor Wilkins, Vice Mayor Ratica, Commissioner Spratt, Commissioner Vargas, Commissioner Holland

6. Consent Agenda Items for Consideration

(Any commissioner or citizen may request to have an item removed from the consent agenda and placed on the regular agenda for further discussion.)

A. Approval of December Check Register

B. Approval of Minutes:

December 11, 2025 City Commission Comprehensive Plan Workshop

December 11, 2025 Local Planning Agency Meeting

December 11, 2025 City Commission Meeting

C. Approval of Staff Reports:

-Fire Department- Chief Brent Stevens

-Building- Mark Lynch

-Code Enforcement- Zane Mungillo

D. RFQ/RFP 2025-01 Design-Build Services for the LaBelle Animal Control Shelter Phase One Shortlist

E. Recommendation of Award – ITB 2025-02 Helms Road Water Main Extension

F. RFQ 2024-03 CPH Change Order No. 3

G. RESOLUTION 2026-03 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LABELLE, FLORIDA, APPROVING THE CITY OF LABELLE’S PUBLIC RECORDS REQUEST POLICY AS SET FORTH IN EXHIBIT “A” HERETO; PROVIDING AN EFFECTIVE DATE.

Motion made by Vice Mayor Ratica to approve Consent Agenda Items, Seconded by Commissioner Spratt. Mayor Wilkins called for the question. Motion passed unanimously. Voting Yea: Mayor Wilkins, Vice Mayor Ratica, Commissioner Spratt, Commissioner Vargas, Commissioner Holland

7. Non-Public Hearing Items for Consideration

(Limited to 15 minutes per item: 3-5 minutes optional presentation time with the remaining time for discussion by the Commission)

A. Swamp Cabbage Special Use & Temporary Events Application

Motion made by Commissioner Vargas to approve Swamp Cabbage Special Use & Temporary Events Application with the beer and wine without hard liquor. Motion failed for lack of a second.

Motion made by Commissioner Spratt to approve Swamp Cabbage Special Use & Temporary Events Application as stated, Seconded by Vice Mayor Ratica. Mayor Wilkins called for the question. A discussion ensued. Motion failed 2-3.

Voting Yea: Vice Mayor Ratica, Commissioner Spratt

Voting Nay: Mayor Wilkins, Commissioner Vargas, Commissioner Holland

Motion made by Commissioner Holland to approve Swamp Cabbage Special Use & Temporary Events without any alcohol, Seconded by Mayor Wilkins. Mayor Wilkins called for the question. Motion passed 3-2.

Voting Yea: Mayor Wilkins, Commissioner Vargas, Commissioner Holland

Voting Nay: Vice Mayor Ratica, Commissioner Spratt

8. Public Hearings and/or Ordinances

A. RESOLUTION 2026-01 A RESOLUTION OF THE CITY OF LABELLE, FLORIDA, ALLOWING FOR A SPECIAL EXCEPTION TO ALLOW FOR A RELIGIOUS ASSEMBLY/CHURCH IN THE BUSINESS PROFESSIONAL (B-1) ZONING DSITRICT FOR THE SUBJECT PROPERTY LOCATED IMMEDIATELY NORTH OF JAYCEE LIONS DRIVE AND 600 FEET WEST OF S. MAIN STREET; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Patty Kulak gave a brief explanation of Resolution 2026-01.

Public Hearing Opened at 6:39pm

Public Hearing Closed at 6:40pm

Motion made by Commissioner Vargas to approve Resolution 2026-01 with the amended conditions as outlined by staff, Seconded by Vice Mayor Ratica. Mayor Wilkins called for the question. A discussion ensued. Motion passed unanimously. Voting Yea: Mayor Wilkins, Vice Mayor Ratica, Commissioner Spratt, Commissioner Vargas, Commissioner Holland

B. RESOLUTION 2026-02 A RESOLUTION OF THE CITY OF LABELLE, FLORIDA, ALLOWING FOR A VARIANCE FROM THE RESIDENTIAL NEIGHBORHOOD URBAN (RNU) ZONING DISTRICT DEVELOPMENT REGULATIONS ESTABLISHED IN THE LAND DEVELOPMENT CODE SECTION 4-76(A) THAT REQUIRES AN ACCESSORY REAR SETBACK OF 5 FEET AND SIDE SETBACK OF 10 FEET; TO ALLOW FOR A 3-FOOT REAR YARD SETBACK AND A 5-FOOT SIDE YARD SETBACK FOR AN ACCESSORY STRUCTURE AT THE SUBJECT PROPERTY LOCATED AT 950 W. LINCOLN AVENUE; IN THE CITY OF

Regular Commission Meeting
January 08, 2026

LABELLE, FLORIDA; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Patty Kulak gave a brief explanation of Resolution 2026-02.

Public Hearing Opened at 6:43pm

The following individuals had commented on Resolution 2026-02: Linda Phillips

Public Hearing Closed at 6:45pm

Motion made by Commissioner Vargas to approve Resolution 2026-02, Seconded by Commissioner Spratt. Mayor Wilkins called for the question. A discussion ensued. Motion passed unanimously.
Voting Yea: Mayor Wilkins, Vice Mayor Ratica, Commissioner Spratt, Commissioner Vargas, Commissioner Holland

9. Public Comment on Non-Agenda Items

(Limited to 3 minutes per person)

10. City Related Business by Commissioners

11. Adjournment

Motion made by Commissioner Spratt to adjourn the meeting, Seconded by Vice Mayor Ratica. Mayor Wilkins called for the question. Motion passed unanimously.
Voting Yea: Mayor Wilkins, Vice Mayor Ratica, Commissioner Spratt, Commissioner Vargas, Commissioner Holland

There being no further business to discuss, Mayor Wilkins adjourned the meeting at 7:11 PM.

Julie C. Wilkins, Mayor

ATTEST: Tijauna Warner, MPA, MMC, City Clerk

CITY OF LABELLE



MINUTES

City Commission Comprehensive Plan Workshop

Tuesday, February 03, 2026, at 5:30 PM

LaBelle Commission Chambers
481 West Hickpochee Ave
LaBelle, FL 33975

CITY COMMISSION:

Julie C. Wilkins, Mayor
Kevin Holland, Commissioner
Jackie Ratica, Commissioner
Bobbie Spratt, Commissioner
Hugo Vargas, Commissioner

ADMINISTRATION:

Tijauna Warner, MPA, MMC, Deputy City Clerk
Derek Rooney, Esq., City Attorney
Mitchell Wills, Superintendent PW

Minutes

1. Call to Order

The workshop was called to order by Mayor Wilkins at 5:36 PM.

2. Roll Call

PRESENT

Mayor Julie C. Wilkins
Vice Mayor Jackie Ratica via Teams
Commissioner Bobbie Spratt
Commissioner Hugo Vargas
Commissioner Kevin Holland
Deputy City Clerk Tijauna Warner

ABSENT

City Attorney Derek Rooney

3. Invocation and Pledge of Allegiance

Waived.

4. New Business

A. Comprehensive Plan Update

Rhea Hunter from RVA Planning led the workshop presentation on the Comprehensive Plan update. The presentation began with a recap of the December workshop where the commission had reviewed key chapters including Future Land Use, Housing, and Economic Development. Ms. Hunter noted these were significant policy-based chapters that had been completed previously.

A discussion arose regarding the Agriculture Future Land Use designation. Mayor Wilkins expressed concern about removing this designation, noting it was part of LaBelle's agricultural heritage. After discussion about potential conflicts between agricultural uses and residential neighborhoods, there was consensus among commissioners to retain the Agriculture Future Land Use category in the comprehensive plan text, even though it currently doesn't appear on the map.

Ms. Hunter then presented several element updates:

Traffic Circulation Element:

State no longer requires transportation concurrency.

Recommendation & consensus: Continue concurrency requirements.

Discussion of industrial roads and need for improvements with development.

Element to be renamed to reflect mobility, complete streets, bike/ped safety.
Additional multimodal safety policies are to be added.

Infrastructure Element:

Add impact fee reporting reference (Dept. of Financial Services).
Include septic tank conversion feasibility plan (Clean Waters Act).
Reference updated water and sewer master plans.
LOS standards for utilities to be reviewed.
Staff confirmed infrastructure capacity is evaluated prior to permit issuance.

Public School Facilities Element:

Now optional; information outdated.
School coordination to move to Intergovernmental Coordination element.
Consensus: Remove element.

Conservation Element:

Updates required under Clean Waterways Act.
Stage 1: Reorganization.
Stage 2: Waterfront access and wetland impact policies.

Recreation and Open Space Element:

Recommendation to retain park LOS standards.
Discussion of need for more active recreation and trails.
Future policies to address facility quality and connectivity to economic development.

Intergovernmental Coordination Element:

Update outdated references.
Add joint planning agreement with Hendry County.
Add school coordination policies.

Capital Improvements and Concurrency:

LOS standards to be aligned across elements.
Add required 5-year Capital Improvement Schedule.
Include fire department expansion, vehicles, animal control building.

Reorganize capital categories.

Ms. Hunter outlined next steps, including moving forward with state consistency amendments and Stage 1 amendments for transmittal to the state by June 1st. Additional community outreach will be conducted for Stage 2 amendments. Mayor Wilkins expressed support for moving forward with amendments even if some might not be effective until 2028 due to SB 180 constraints.

5. Adjournment

Motion made by Commissioner Spratt to adjourn the workshop. Seconded by Commissioner Vargas. Mayor Wilkins called for the question. Motion passed unanimously. Voting Yea: Mayor Wilkins, Vice Mayor Ratica, Commissioner Spratt, Commissioner Vargas, Commissioner Holland

There being no further business to discuss, Mayor Wilkins adjourned the meeting at 6:46 PM.

Julie C. Wilkins, Mayor

ATTEST: Tijauna Warner, MPA, MMC, City Clerk

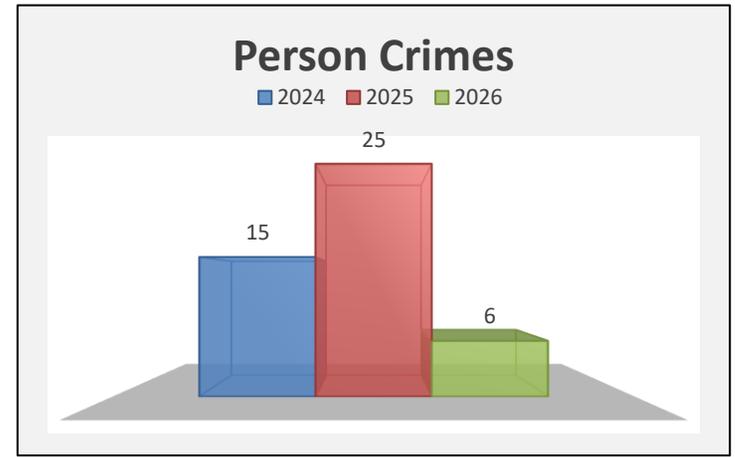
Hendry County Sheriff's Office

City of LaBelle Crime Report for February 2026 Meeting

Dates: 01/01/2026-01/28/2026

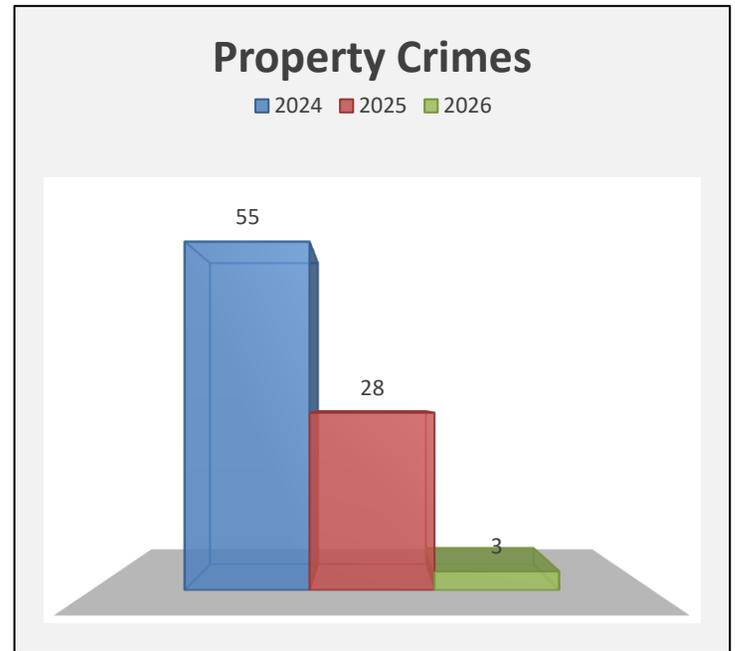
Person Crimes	Jan. 2026	Dec.	Nov.	Oct.
Homicide	0	0	0	0
Robbery	0	0	0	0
Sex Crime	1	1	1	1
Assault	0	0	0	0
Battery - Simple	0	0	1	0
Domestic	5	0	2	2
TOTAL	6	1	4	3

YTD 2026	YTD 2025	YTD 2024
0	0	0
0	0	1
1	2	3
0	7	0
0	8	6
5	8	5
6	25	15

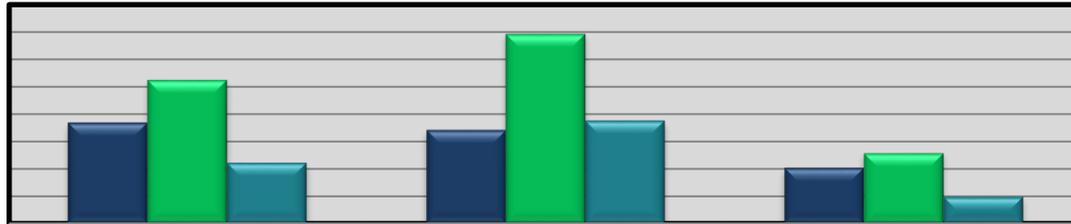


Property Crimes	Jan. 2026	Dec.	Nov.	Oct.
Stolen Vehicle	0	2	0	0
Theft				
- Construction	0	0	0	0
- Residential	2	2	2	1
- Retail	0	3	0	1
Burglary				
- Residential	1	1	0	0
- Business	0	0	0	1
- Vehicle	0	1	1	2
Criminal Mischief	0	0	1	0
TOTAL	3	9	4	5

YTD 2026	YTD 2025	YTD 2024
0	4	3
0	0	0
2	8	20
0	1	5
1	4	4
0	1	1
0	0	15
0	10	7
3	28	55

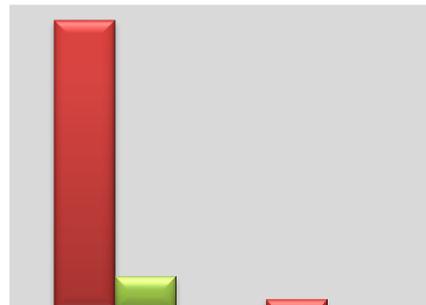


Year-to-Date Call Summary, by District



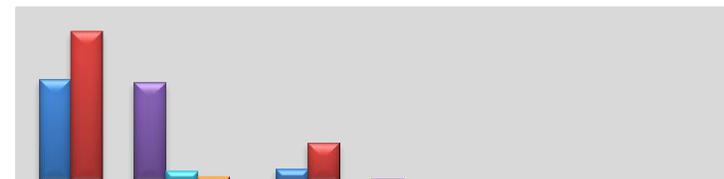
	District 1	District 2	City of LaBelle
2024	7,294	6,765	4,035
2025	10,496	13,843	5,127
2026	4,415	7,468	1,947

City Units



	CAD Calls	Offense Reports
D/S Hull	238	8
D/S Bell	27	2

City of LaBelle



	D1 Deputies	D/S Hull	D/S Bell
Business Checks	411	49	3
Residential Checks	602	155	1
Security Checks	0	0	0
Traffic Stops	399	12	3
Warrants	44	0	2
Arrests	21	3	3



LABELLE FIRE DEPARTMENT

CHIEF BRENT R. STEVENS

863-675-1537
bstevens@citylabelle.com
jhubbard@citylabelle.com
280 S Main St LaBelle, FL 33935

Agenda Items

LaBelle Fire Department Response:

- January Calls- 119
- Public Relation Events-5

Engine Status

- Engine 15 is currently at SFEV receiving minor repairs.

Truck Repairs

- All trucks are in working order.

County Response

- LaBelle Fire Department has responded 22 times for mutual aid to outlining areas since 10/1/2025.

Station

- Station design is underway. CPH is finalizing the invitation to bid documents.

Thank You,

Chief Brent Stevens
LaBelle Fire Department
863-234-8639

Range: First to Last Issue Date Range: 01/01/26 to 01/31/26

**Indicates payment is in batch

NOTE: Too many Building Codes included in this report. The totals are correct, but please print to Excel to see the complete detail.

	Alteration Cost	New Volume	BP D2Y BUILDING MECHANICAL PLAN REVIEW	BP D2Z CONTRACTOR PL ROW PLANNING	TOTAL ELECTRICAL PL UA LT PLUMBING
Grand Totals:	149,295.00	0	PAID: 0.00 0.00	0.00 1,820.14 152.00 0.00	0.00 176.80 0.00 0.00
			PERMIT COUNT:	0 15 1 0	0 2 0 0

BP SURC2 - Bldg Code Admin & Inspect Brd	Amount	BP SURCH - FL Building Commission Surchar	Amount
1. Number of permits issued at the minimum surcharge rate 7 x \$2	\$ 14.00	1. Number of permits issued at the minimum surcharge rate 12 x \$2	\$ 24.00
2. Permit fees collected at other than minimum surcharge	\$ 1,556.20	2. Permit fees collected at other than minimum surcharge	\$ 752.40
3. Surcharge amount due (1.5% of line 2 or line 2 x 1.5)	\$ 23.34	3. Surcharge amount due (1.0% of line 2 or line 2 x 0.010)	\$ 7.52
4. Total of Lines 1 & 3	\$ 37.34	4. Total of Lines 1 & 3	\$ 31.52
5. Less surcharge amount retained (10% of line 4 or line 4 x 0.10)	\$ 3.73	5. Less surcharge amount retained (10% of line 4 or line 4 x 0.10)	\$ 3.15
6. Surcharge amount due (line 4 less line 5)	\$ 33.61	6. Surcharge amount due (line 4 less line 5)	\$ 28.37

*NOTE: This report contains only PAID & WAIVED fees.

Hugo Vargas
Commissioner

Kevin Holland
Commissioner



“The City of Oaks”

Julie C. Wilkins
Mayor

Jackie Section 6, Item C.
Commissioner

Bobbie Spratt
Commissioner

Monthly Staff Report

Department: Code Enforcement

Reporting Period: January 2026

Code Enforcement Activity

During the reporting period, Code Enforcement staff continued enforcement, inspection, and compliance activities throughout the City.

- **Total Open Cases at Month End:** 116
- **New Cases Opened:** 14
- **Cases Closed:** 20
- **Court Cases:** 18

Enforcement actions taken during the month included:

- **Courtesy Notices Issued:** 11
- **Notices of Compliance Issued:** 3
- **Notices of Violation / Notices of Hearing (NOV/NOH):** 8
- **A.N.C. Notices Issued:** 3
- **Findings of Fact Issued:** 1
- **Delinquent Lien Notices Issued:** 1
- **Properties Posted with Legal Information:** 1

Staff continued to emphasize voluntary compliance while pursuing formal enforcement actions when necessary.

Inspections & Enforcement Activity

Hugo Vargas
Commissioner

Kevin Holland
Commissioner



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Julie C. Wilkins
Mayor

Jackie Section 6, Item C.
Commissioner

Bobbie Spratt
Commissioner

Inspection activity increased during the reporting period.

- **Total Site Inspections Conducted: 282**

Inspections included follow-up inspections on open cases, complaint-based inspections, proactive enforcement activities, and site walk-throughs with property owners.

Violation Breakdown – Total Open Cases

The following reflects the current distribution of all **open code enforcement violations citywide**, not solely those initiated during the reporting period:

Violation Type	Total Cases	Description
Public Nuisance	88	Includes inoperable vehicles, parking of accessory vehicles, junk, and debris
Permits Required	23	Violations related to required building or construction permits
Zoning Violations	92	Residential Neighborhood Unit (RNU) and Single-Family Residential zoning violations
811 Sunshine Violations	0	No active violations during the reporting period
Other	113	Includes unsafe structures, roofing and drainage, occupational licensing, tree protection, utilities, general code provisions, and miscellaneous violations

Reporting Methodology Update

To improve transparency and provide a more accurate representation of enforcement activity, staff updated the method used to track and report code violations beginning in

Hugo Vargas
Commissioner

Kevin Holland
Commissioner



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Commissioner

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Commissioner

January 2026. Violations are now recorded **individually by type**, rather than as a single case per property.

As a result, properties with multiple violations are now reflected across multiple violation categories. This change allows for a more detailed breakdown of enforcement activity and better identification of recurring compliance issues. Due to this updated methodology, comparisons to prior months may appear skewed; however, the revised approach provides a clearer and more accurate picture of overall code enforcement activity moving forward.

City Dock Activity

During the reporting period, City Dock activity included:

- **Total Revenue Collected:** \$625.83 (reflects monies deposited during the reporting period)
- **Total Reservations:** 15

Dock operations continue to be monitored for revenue, reservation activity, and overall utilization.

Safety & Emergency Management

During the reporting period, safety and emergency management activities included:

- Continued testing of recently installed security cameras. A connectivity issue was identified and successfully troubleshooted to improve system performance.
- Several inoperable fire hydrants were identified. Repairs are underway to restore functionality and ensure fire protection capabilities.

Hugo Vargas
Commissioner

Kevin Holland
Commissioner



Jackie Section 6, Item C.
Commissioner

Bobbie Spratt
Commissioner

“The City of Oaks”

Julie C. Wilkins
Mayor

Summary

Overall enforcement activity remained consistent during the reporting period, with a continued reduction in total open cases. Staff maintained a high level of inspection activity while prioritizing compliance, public safety, and timely resolution of violations. Open cases are actively monitored, with follow-up and escalation occurring as warranted.

Hugo Vargas
Commissioner

Kevin Holland
Commissioner



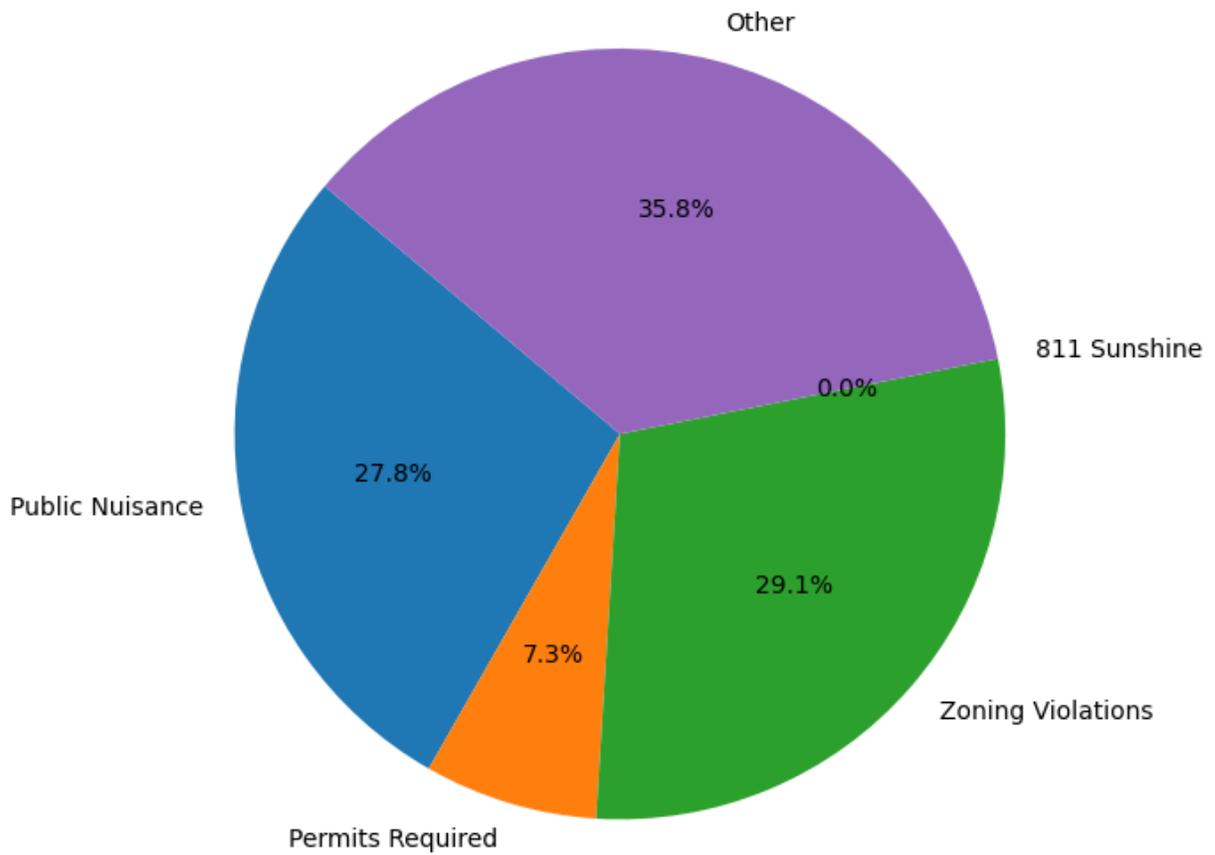
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Julie C. Wilkins
Mayor

Jackie Section 6, Item C.
Commissioner

Bobbie Spratt
Commissioner

Code Enforcement Violations – Total Open Cases (January 2026)



Hugo Vargas
Commissioner

Kevin Holland
Commissioner



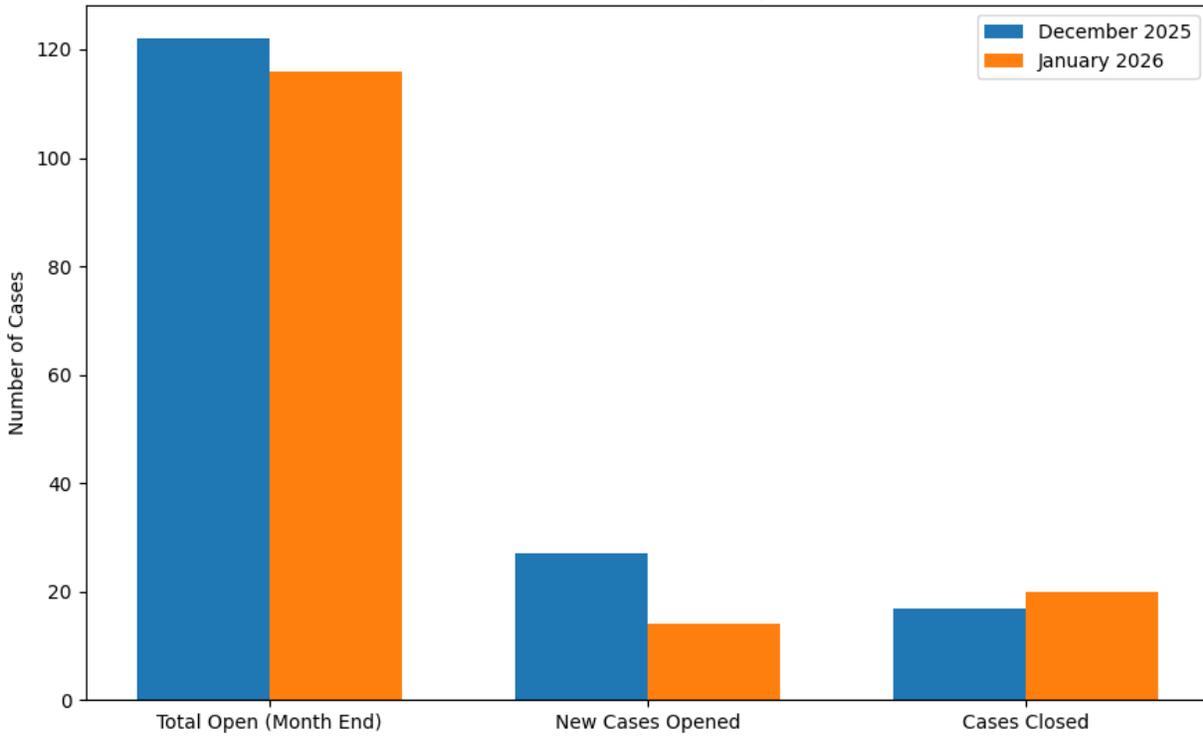
Jackie Section 6, Item C.
Commissioner

Bobbie Spratt
Commissioner

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Julie C. Wilkins
Mayor

Code Enforcement Case Activity Comparison
December 2025 vs January 2026



Hugo Vargas
Commissioner

Kevin Holland
Commissioner



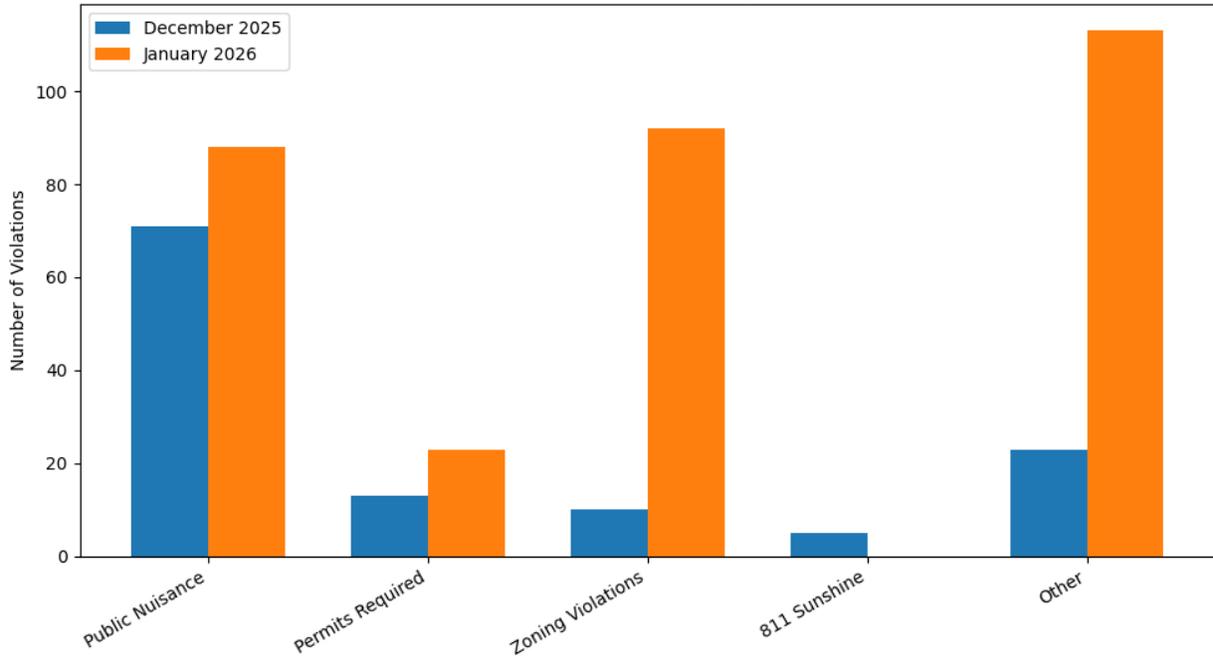
Jackie Section 6, Item C.
Commissioner

Bobbie Spratt
Commissioner

“The City of Oaks”

Julie C. Wilkins
Mayor

Comparison of Code Enforcement Violations
December 2025 vs January 2026



AGREEMENT BETWEEN OWNER AND CONTRACTOR FOR CONSTRUCTION CONTRACT (STIPULATED PRICE)

This Agreement is by and between City of LaBelle ("Owner") and Accurate Drilling Systems, Inc. ("Contractor").

Terms used in this Agreement have the meanings stated in the General Conditions and the Supplementary Conditions.

Owner and Contractor hereby agree as follows:

ARTICLE 1—WORK

- 1.01 Contractor shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows: **Helms Road Water Main Extension**

ARTICLE 2—THE PROJECT

2.01 The Project, of which the Work under the Contract Documents is a part, is generally described as follows: The project consists of the construction of approximately 13,600 linear feet of 12" PVC (DR-18) water main by open cut, 400 linear feet of 12" PVC (DR-14) water main by open cut, and two (2) linear feet of 10" PVC (DR-18) water main by open cut with associated fittings, twenty-eight (28) fire hydrants, twenty-eight (28) 12" vertical gate valves, and two (2) 10" vertical gate valves. Connections to the existing water main will be made at two (2) points by using fittings such as tapping sleeve and valve. Eight (8) connections for future development are proposed to be included. This project will install a watermain loop to provide redundancy to the system for better pressure and fire flow conditions. The project includes all sidewalk and driveway reconstruction, grading, sodding, restoration, and site work; and all incidental work needed to provide an in-place functioning system.

ARTICLE 3—OWNER'S REPRESENTATIVE AND ENGINEER

- 3.01 The Owner has retained **Tetra Tech, Inc.** ("Owner's Representative") to act as Owner's representative, and assume all duties and responsibilities associated with the bidding and construction in accordance with contract documents.
- 3.02 The part of the Project that pertains to the Work has been designed by **Four Waters Engineering, Inc.** ("Engineer")

ARTICLE 4—CONTRACT TIMES

- 4.01 *Time is of the Essence*
- A. All time limits for Milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

4.02 *Contract Times: Dates*

- A. The Work will be substantially complete on or before **[270 days from NTP]**, and completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before **[300 days from NTP]**.

4.03 *Contract Times: Days*

- A. The Work will be substantially complete within **270** days after the date when the Contract Times commence to run as provided in Paragraph 4.01 of the General Conditions and completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions within **300** days after the date when the Contract Times commence to run.

4.04 *Milestones*

- A. Parts of the Work must be substantially completed on or before the following Milestone(s):
1. None

4.05 *Liquidated Damages*

- A. Contractor and Owner recognize that time is of the essence as stated in Paragraph 4.01 above and that Owner will suffer financial and other losses if the Work is not completed and Milestones not achieved within the Contract Times, as duly modified. The parties also recognize the delays, expense, and difficulties involved in proving, in a legal or arbitration proceeding, the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty):
1. *Substantial Completion:* Contractor shall pay Owner \$1,500 for each day that expires after the time (as duly adjusted pursuant to the Contract) specified above for Substantial Completion, until the Work is substantially complete.
 2. *Completion of Remaining Work:* After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Times (as duly adjusted pursuant to the Contract) for completion and readiness for final payment, Contractor shall pay Owner \$1,500 for each day that expires after such time until the Work is completed and ready for final payment.
 3. Liquidated damages for failing to timely attain Substantial Completion, and final completion are not additive, and will not be imposed concurrently.
- B. If Owner recovers liquidated damages for a delay in completion by Contractor, then such liquidated damages are Owner's sole and exclusive remedy for such delay, and Owner is precluded from recovering any other damages, whether actual, direct, excess, or consequential, for such delay, except for special damages (if any) specified in this Agreement.

4.06 *Special Damages*

- A. Contractor shall reimburse Owner (1) for any fines or penalties imposed on Owner as a direct result of the Contractor's failure to attain Substantial Completion according to the Contract Times, and (2) for the actual costs reasonably incurred by Owner for engineering, construction observation, inspection, and administrative services needed after the time specified in Paragraph 4.02 for Substantial Completion (as duly adjusted pursuant to the Contract), until the Work is substantially complete.

- B. After Contractor achieves Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Times, Contractor shall reimburse Owner for the actual costs reasonably incurred by Owner for engineering, construction observation, inspection, and administrative services needed after the time specified in Paragraph 4.02 for Work to be completed and ready for final payment (as duly adjusted pursuant to the Contract), until the Work is completed and ready for final payment.
- C. The special damages imposed in this paragraph are supplemental to any liquidated damages for delayed completion established in this Agreement.

ARTICLE 5—PAYMENT PROCEDURES

5.01 *Submittal and Processing of Payments*

- A. Contractor shall submit Applications for Payment in accordance with Article 15 of the General Conditions. Applications for Payment will be processed by Engineer as provided in the General Conditions.

5.02 *Progress Payments; Retainage*

- A. Owner shall make progress payments on the basis of Contractor's Applications for Payment on or about the 30th day of each month during performance of the Work as provided in Paragraph 5.02.A.1 below, provided that such Applications for Payment have been submitted in a timely manner and otherwise meet the requirements of the Contract. All such payments will be measured by the Schedule of Values established as provided in the General Conditions (and in the case of Unit Price Work based on the number of units completed) or, in the event there is no Schedule of Values, as provided elsewhere in the Contract.
 - 1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as Owner may withhold, including but not limited to liquidated damages, in accordance with the Contract.
 - a. 95 percent of the value of the Work completed (with the balance being retainage).
 - 1) If 50 percent or more of the Work has been completed, as determined by Owner's Representative, and if the character and progress of the Work have been satisfactory to Owner and Owner's Representative, then as long as the character and progress of the Work remain satisfactory to Owner and Owner's Representative, there will be no additional retainage; and
 - b. 95 percent of cost of materials and equipment not incorporated in the Work (with the balance being retainage).
- B. Upon Substantial Completion of the entire construction to be provided under the Contract Documents, Owner shall pay an amount sufficient to increase total payments to Contractor to 95 percent of the Work completed, less such amounts set off by Owner pursuant to Paragraph 15.01.E of the General Conditions, and less 5 percent of Engineer's estimate of the value of Work to be completed or corrected as shown on the punch list of items to be completed or corrected prior to final payment.

5.03 *Final Payment*

- A. Upon final completion and acceptance of the Work, Owner shall pay the remainder of the Contract Price in accordance with Paragraph 15.06 of the General Conditions.

5.04 *Consent of Surety*

- A. Owner will not make final payment or return or release retainage at Substantial Completion or any other time, unless Contractor submits written consent of the surety to such payment, return, or release.

5.05 *Interest*

- A. All amounts not paid when due will bear interest at the rate of zero (0) percent per annum.

ARTICLE 6—CONTRACT DOCUMENTS

6.01 *Contents*

- A. The Contract Documents consist of all of the following:
 1. This Agreement.
 2. Bonds:
 - a. Performance bond (together with power of attorney).
 - b. Payment bond (together with power of attorney).
 3. General Conditions.
 4. Supplementary Conditions.
 5. Specifications as listed in the table of contents of the project manual (copy of list attached).
 6. Drawings (not attached but incorporated by reference) consisting of various sheets with each sheet bearing the following general title: **City of LaBelle Helms Road Water Main Extension**
 7. Drawings listed on the attached sheet index.
 8. Addenda (numbers 1 to 2, inclusive).
 9. Exhibits to this Agreement (enumerated as follows):
 - a. Contractor’s Bid
 - b. Qualification Statement
 10. The following which may be delivered or issued on or after the Effective Date of the Contract and are not attached hereto:
 - a. Notice to Proceed.
 - b. Work Change Directives.
 - c. Change Orders.
 - d. Field Orders.
 - e. Warranty Bond, if any.

- B. The Contract Documents listed in Paragraph 6.01.A are attached to this Agreement (except as expressly noted otherwise above).
- C. There are no Contract Documents other than those listed above in this Article 6.
- D. The Contract Documents may only be amended, modified, or supplemented as provided in the Contract.

ARTICLE 7—REPRESENTATIONS, CERTIFICATIONS, AND STIPULATIONS

7.01 *Contractor's Representations*

- A. In order to induce Owner to enter into this Contract, Contractor makes the following representations:
 1. Contractor has examined and carefully studied the Contract Documents, including Addenda.
 2. Contractor has visited the Site, conducted a thorough visual examination of the Site and adjacent areas, and become familiar with the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
 3. Contractor is familiar with all Laws and Regulations that may affect cost, progress, and performance of the Work.
 4. Contractor has carefully studied the reports of explorations and tests of subsurface conditions at or adjacent to the Site and the drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, with respect to the Technical Data in such reports and drawings.
 5. Contractor has carefully studied the reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, with respect to Technical Data in such reports and drawings.
 6. Contractor has considered the information known to Contractor itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Contract Documents; and the Technical Data identified in the Supplementary Conditions or by definition, with respect to the effect of such information, observations, and Technical Data on (a) the cost, progress, and performance of the Work; (b) the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor; and (c) Contractor's safety precautions and programs.
 7. Based on the information and observations referred to in the preceding paragraph, Contractor agrees that no further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract.
 8. Contractor is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.

9. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and of discrepancies between Site conditions and the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.
10. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.
11. Contractor's entry into this Contract constitutes an incontrovertible representation by Contractor that without exception all prices in the Agreement are premised upon performing and furnishing the Work required by the Contract Documents.

7.02 *Contractor's Certifications*

- A. Contractor certifies that it has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for or in executing the Contract. For the purposes of this Paragraph 7.02:
 1. "corrupt practice" means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the bidding process or in the Contract execution;
 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process or the execution of the Contract to the detriment of Owner, (b) to establish Bid or Contract prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
 3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish Bid prices at artificial, non-competitive levels; and
 4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

8.03 *Standard General Conditions*

- A. Owner stipulates that if the General Conditions that are made a part of this Contract are EJCDC® C-700, Standard General Conditions for the Construction Contract (2018), published by the Engineers Joint Contract Documents Committee, and if Owner is the party that has furnished said General Conditions, then Owner has plainly shown all modifications to the standard wording of such published document to the Contractor, through a process such as highlighting or "track changes" (redline/strikeout), or in the Supplementary Conditions.

IN WITNESS WHEREOF, Owner and Contractor have signed this Agreement.

This Agreement will be effective on [] (which is the Effective Date of the Contract).

Owner: **City of LaBelle**

Contractor: **Accurate Drilling Systems, Inc.**

(typed or printed name of organization)

(typed or printed name of organization)

By: _____
(individual's signature)

By: *[Signature]*
(individual's signature)

Date: _____
(date signed)

Date: 1/16/26
(date signed)

Name: **Julie Craichy**
(typed or printed)

Name: **Mario E. Acevedo**
(typed or printed)

Title: **Mayor**
(typed or printed)

Title: **Vice President**
(typed or printed)

(If [Type of Entity] is a corporation, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest: _____
(individual's signature)

Attest: *[Signature]*
(individual's signature)

Title: _____
(typed or printed)

Title: **Secretary**
(typed or printed)

Address for giving notices:

Address for giving notices:

481 W. Hickpochee Avenue

49 Industrial Loop

LaBelle, FL 33935

LaBelle, FL 33935



Designated Representative:

Designated Representative:

Name: _____
(typed or printed)

Name: Mario Acevedo
(typed or printed)

Title: _____
(typed or printed)

Title: Vice President
(typed or printed)

Address: _____

Address: _____

49 N Industrial Loop
LaBelle, FL 33935

Phone: _____

Phone: 863-674-0803

Email: _____

Email: Ace@accuratedrilling.com

(If [Type of Entity] is a corporation, attach evidence of authority to sign. If [Type of Entity] is a public body, attach evidence of authority to sign and resolution or other documents authorizing execution of this Agreement.)

License No.: CUC1225661
(where applicable)

State: Florida



P.O. Box 3035
LaBelle FL 33975
Ph: (863) 674-0803 Fax: (863) 674-0912

Corporate Resolution of Signing Authority

WHEREAS, the Corporation is determined to grant signing and authority to certain person described hereunder.

RESOLVED, that the Board of Directors is hereby authorized and approved to authorize and empower the following individual to make, execute, endorse and deliver in the name of and on behalf of the corporation, but shall not be limited to, any and all written instruments, agreements, documents, execution of deeds, powers of attorney, transfers, assignments, contracts, obligations, certificates and other instruments of whatever nature entered into by this Corporation.

Name: Mario E. Acevedo
Position/Title: Vice President
Telephone Number: 863-517-4124
Email Address: Ace@accuratedrilling.com
Signature:

The undersigned certifies that he/she is the properly elected and qualified Secretary of the books, records and seal of *Accurate Drilling Systems*, a corporation duly conformed pursuant to the laws of the state of Florida, and that said meeting was held in accordance with state law and with the Bylaws of the above-named corporation.

This resolution has been approved by the Board of Directors of *Accurate Drilling Systems, Inc* on January 9, 2024. I, as authorized by the Company, hereby certify and attest that all the information above is true and correct.

Secretary



**City of LaBelle Board of Commissioners
Agenda Request**

To: Honorable Mayor and City Commission
Prepared By: Fire Chief Brent Stevens
Date of Meeting: 2/12/2026
Date Submitted: 02/02/2026
Title of Agenda Item: Pension True Up
Agenda Location: Consent Agenda Item

Report in brief:

The LaBelle Fire Department requests a 1-time true-up of \$715,269, which will be contributed from Excess chapter funds and advanced employer contributions. The Labelle Fire Department also requests that the full 35% off the budget contribution be fulfilled this year. This will result in the 35% contribution being reduced to 16% next year, as well as the allocation of reserve funds. If fiscal hardship is determined in future fiscal years, this allocation can offset the % of employee contributions in the future.

Staff Comments: Request Board approval.

Fiscal Impact: 2025 - 2026

Has the request been budgeted? Yes No

If yes, expected cost and account name. Excess chapter money, Advanced employer contribution

If no, amount needed and proposed account:

Recommended Actions: Review and Approve

ACQUISITION OR DISPOSITION OF PROPERTY REPORT

TO: City of LaBelle

Department: Maint/Water

DATE 1-25-26

I request the following change to be made on the Tangible Property in my Custody per Florida Statute 274 and Auditor General guidelines 10.4.

ALL DELETED PROPERTY WILL GO TO AUCTION.

	DESCRIPTION OF PROPERTY	ACTION REQUESTED	
		Additions:	Deletions:
Vendor:			
Description:	<u>Vac truck</u>	Disposal Date:	
Year:	<u>1997</u>	Traded:	<u>Sold</u>
Make:	<u>Inter National</u>	Amount Realized:	
Model #:	<u>2554 6x4</u>	Transferred:	<u>Junked</u>
SERIAL/VIN:	<u>1HT6CADT1VH</u>	Reason:	<u>Auction</u>
Cost/Value \$:	<u>490508</u>		
Date Acquired:			
GA Account #:			

LOCATION Maint yard Where is this equipment actually kept.

Signature [Handwritten Signature]
Property Custodian

ACQUISITION OR DISPOSITION OF PROPERTY REPORT

TO: City of LaBelle

Department: Maint/water

DATE: 1-29-26

I request the following change to be made on the Tangible Property in my Custody per Florida Statute 274 and Auditor General guidelines 10.4.

ALL DELETED PROPERTY WILL GO TO AUCTION.

	DESCRIPTION OF PROPERTY	ACTION REQUESTED	
		Additions:	Deletions:
Vendor:			
Description:	<u>Work truck</u>	Disposal Date:	
Year:	<u>2010</u>	Traded:	<u>Sold</u>
Make:	<u>Ford</u>	Amount Realized:	
Model #:	<u>Pickup F150</u>	Transferred:	<u>Junked</u>
SERIAL/VIN:	<u>1FTMF1C7W6AFC24636</u>	Season:	<u>Auction</u>
Cost/Value \$:			
Date Acquired:			
G/L Account #:			

LOCATION

Where is this equipment actually kept.

Signature: [Signature]
Property Custodian

ACQUISITION OR DISPOSITION OF PROPERTY REPORT

TO: City of LaBelle

Department: Maint / water

DATE 1-29-26

I request the following change to be made on the Tangible Property in my Custody per Florida Statute 274 and Auditor General guidelines 10.4.

ALL DELETED PROPERTY WILL GO TO AUCTION.

DESCRIPTION OF PROPERTY		ACTION REQUESTED	
Vendor:		Additions:	Deletions:
Description:	<u>work truck Ford Pick-up truck</u>	Disposal Date:	
Year:	<u>2013</u>	Traded:	Sold
Make:	<u>Ford</u>	Amount Realized:	
Model #:	<u>Pick-up F150</u>	Transferred:	Junked
SERIAL/VIN:	<u>1FTEX1C1M9DFC1</u>	Reason:	<u>Auction</u>
Cost/Value \$:	<u>3988</u>		
Date Acquired:			
G/L Account #:			

LOCATION _____ Where is this equipment actually kept.

Signature [Signature]
Property Guardian



FLORIDA DEPARTMENT OF Environmental Protection

South District Office
2295 Victoria Ave, Suite 364
Fort Myers, FL 33901

Ro Section 6, Item G.
Governor

Jay Collins
Lt. Governor

Alexis A. Lambert
Secretary

January 28, 2026

CERTIFIED MAIL NO. 9589 0710 5270 1906 9275 66
RETURN RECEIPT REQUESTED

Julie Wilkins, Mayor
City of Labelle
481 West Hickpochee Ave
Labelle, FL, 33935

RE: Consent Order
OGC Case No. 25-1567
Facility Name: City of Labelle
Facility/Site No. 5260050

Dear Mayor Julie Wilkins:

Enclosed is a proposed Consent Order to resolve the above-referenced case.

Please review this document and **within 20 days of receipt**, either: 1) return a signed copy to the Department or 2) provide comments and suggested changes. Once fully executed, a copy of the final document will be forwarded to you.

Should you have any questions or comments, please contact **Rocio Andrade** at **239-344-5740** or via e-mail at Rocio.Andrade@FloridaDEP.gov.

Your cooperation in resolving this matter is appreciated.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth Sweigert".

Elizabeth Sweigert
Director of District Management

Cc: Julie Wilkins, Mayor JulieWilkins@citylabelle.com
Mitch Willis, mwills@citylabelle.com
Salvador Mora, SMora@woodardcurran.com
Juan Cuardenas, JCardenas@woodardcurran.com
Fred Rogers, FRogers@woodardcurran.com
Brianna Morales, Brianna.Morales@woodardcurran.com
Glenn Burden, gburden@woodardcurran.com
Tijuana Warner, tiawarner@citylabelle.com

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA DEPARTMENT)	IN THE OFFICE OF THE
OF ENVIRONMENTAL PROTECTION)	SOUTH DISTRICT
)	
v.)	OGC FILE NO. 25-1567
)	
CITY OF LABELLE)	
_____)	

CONSENT ORDER

This Consent Order (“Order”) is entered into between the State of Florida Department of Environmental Protection (“Department”) and City of Labelle (“Respondent”) pursuant to Section 120.57(4), Florida Statutes, to settle certain matters at issue between the Department and Respondent.

The Department finds and Respondent admits the following:

1. The Department is the administrative agency of the State of Florida having the power and duty to protect Florida’s water resources and to administer and enforce the provisions of the Florida Safe Drinking Water Act, Sections 403.850, et seq., Florida Statutes (“F.S.”), and the rules promulgated and authorized in Title 62, Florida Administrative Code (“F.A.C.”). The Department has jurisdiction over the matters addressed in this Order.

2. Respondent is a person within the meaning of Section 403.852(5), F.S.

3. Respondent is the owner of a Community Water System, PWS No. 5260050, located at 2500 S SR 29, LaBelle, FL 33935 (“System”).

4. The Department finds that the Respondent violated Section 403.850, Florida Statutes (F.S.), and Rules 62-550 and 62-555, Florida Administrative Code (F.A.C.).

a. On August 20, 2022, Department staff conducted a Sanitary Survey Inspection and identified the following deficiencies. On July 16, 2025, Department staff conducted a Sanitary Survey Inspection and identified the same deficiencies, which remain unaddressed:

i. Respondent failed to address corrosion and leaks on high service

pumps 1, 2, 3, and 4, in violation of Rule 62-555.350(2), F.A.C.

ii. Respondent failed to correct leaking and biological growth on Well #3 near the well casing, and failed to maintain the gap between the well pad and well casing, in violation of Rule 62-555.350(2), F.A.C.

iii. Respondent produced more than 75 percent of its permitted design capacity and did not submit a Capacity Analysis Report within 6 months of the initial exceedance, in violation of Rule 62-555.348(3), F.A.C.

iv. Respondent failed to demonstrate that six wells (Wells AAE6983, AAH9205, AAH9250, AAH9252, AAH9251, and AAC5589) were properly abandoned.

Having reached a resolution of the matter, Respondent and the Department mutually agree, and it is hereby

ORDERED:

5. Respondent shall comply with the following corrective actions within the stated time periods:

a. **Within 180 days of the effective date of this order,** Respondent shall submit documentation or photographs confirming that the following six wells have been properly abandoned: Wells AAE6983, AAH9205, AAH9250, AAH9252, AAH9251, and AAC5589.

b. **Within 270 days of the effective date of this order,** Respondent shall repair the corrosion and leaks, or replace high service pumps 1, 2, 3, and 4. If the pumps cannot be replaced with identical units, Respondent shall obtain the necessary permits prior to installation.

c. **Within 270 days of the effective date of this order,** Respondent shall submit photos to the Department documenting completion of the leak repair on Well #3 and that the gap between the base of the well and the well pad has been properly filled.

d. **Within 180 days of the effective date of this Order,** Respondent shall submit a Capacity Analysis Report to the Department in accordance with the

requirements of Rule 62-555.348, F.A.C. This document must be prepared, signed, and sealed by a Florida-licensed Professional Engineer.

6. **Within 60 days of the effective date of this Order**, Respondent shall pay the Department \$ 6,250.00 in settlement of the regulatory matters addressed in this Order. This amount includes \$ 5,750.00 in civil penalties for violations of Sections 403.121(4)(f) and 403.121 (5), F.S., and \$ 500.00 for costs and expenses incurred by the Department during the investigation of this matter and the preparation and tracking of this Order.

7. Respondent agrees to pay the Department stipulated penalties in the amount of \$100.00 per day for each and every day Respondent fails to timely comply with any of the requirements of paragraph 5 of this Order. The Department may demand stipulated penalties at any time after violations occur. Respondent shall pay stipulated penalties owed within 30 days of the Department's issuance of written demand for payment, and shall do so as further described in paragraph 8, below. Nothing in this paragraph shall prevent the Department from filing suit to specifically enforce any terms of this Order. Any stipulated penalties assessed under this paragraph shall be in addition to the civil penalties agreed to in paragraph 6 of this Order.

8. Respondent shall make all payments required by this Order by cashier's check, money order or on-line payment. Cashier's check or money order shall be made payable to the "Department of Environmental Protection" and shall include both the OGC number 25-1597 assigned to this Order and the notation "Water Quality Assurance Trust Fund." Online payments by e-check can be made by going to the DEP Business Portal at: <http://www.fldepportal.com/go/pay/>. It will take a number of days after this order becomes final, effective and filed with the Clerk of the Department before ability to make online payment is available.

9. Except as otherwise provided, all submittals and payments required by this Order shall be sent to SouthDistrict.PWS@FloridaDEP.gov, Department of Environmental Protection, 2295 Victoria Ave Suite 364, Fort Myers, Florida 33901.

10. In lieu of making cash payment of \$ 5,750.00 in civil penalties as set forth in paragraph 6 above, Respondent may elect to off-set this amount by implementing an in-kind penalty project, which must be approved by the Department. An in-kind project must be either an environmental enhancement, environmental restoration or a capital/facility improvement project and may not be a corrective action requirement of the Order or otherwise required by law. The Department may also consider the donation of environmentally sensitive land as an in-kind project. The value of the in-kind penalty project shall be one and a half times the civil penalty off-set amount, which in this case is the equivalent of at least \$8,625.00. If Respondent chooses to implement an in-kind project, Respondent shall notify the Department of its election within 15 days of the effective date of this Consent Order. Notwithstanding the election to implement an in-kind project, payment of the remaining \$500.00 in costs must be paid within 30 days of the effective date of the Consent Order. If Respondent elects to implement an in-kind project, then Respondent shall comply with all the requirements and time frames in Exhibit A entitled In-Kind Projects, attached. Respondent shall allow all authorized representatives of the Department access to the System and the Property at reasonable times for the purpose of determining compliance with the terms of this Order and the rules and statutes administered by the Department.

11. In the event of a sale or conveyance of the System or of the Property upon which the System is located, if all of the requirements of this Order have not been fully satisfied, Respondent shall, at least 30 days prior to the sale or conveyance of the System or Property, (a) notify the Department of such sale or conveyance, (b) provide the name and address of the purchaser, operator, or person(s) in control of the System, and (c) provide a copy of this Order with all attachments to the purchaser, operator, or person(s) in control of the System. The sale or conveyance of the System or the Property does not relieve Respondent of the obligations imposed in this Order.

12. If any event, including administrative or judicial challenges by third parties unrelated to Respondent, occurs which causes delay or the reasonable likelihood of delay in complying with the requirements of this Order, Respondent shall have the burden of proving

the delay was or will be caused by circumstances beyond the reasonable control of Respondent and could not have been or cannot be overcome by Respondent's due diligence. Neither economic circumstances nor the failure of a contractor, subcontractor, materialman, or other agent (collectively referred to as "contractor") to whom responsibility for performance is delegated to meet contractually imposed deadlines shall be considered circumstances beyond the control of Respondent (unless the cause of the contractor's late performance was also beyond the contractor's control). Upon occurrence of an event causing delay, or upon becoming aware of a potential for delay, Respondent shall notify the Department by the next working day and shall, within seven calendar days notify the Department in writing of (a) the anticipated length and cause of the delay, (b) the measures taken or to be taken to prevent or minimize the delay, and (c) the timetable by which Respondent intends to implement these measures. If the parties can agree that the delay or anticipated delay has been or will be caused by circumstances beyond the reasonable control of Respondent, the time for performance hereunder shall be extended. The agreement to extend compliance must identify the provision or provisions extended, the new compliance date or dates, and the additional measures Respondent must take to avoid or minimize the delay, if any. Failure of Respondent to comply with the notice requirements of this paragraph in a timely manner constitutes a waiver of Respondent's right to request an extension of time for compliance for those circumstances.

13. The Department, for and in consideration of the complete and timely performance by Respondent of all the obligations agreed to in this Order, hereby conditionally waives its right to seek judicial imposition of damages or civil penalties for the violations described above up to the date of the filing of this Order. This waiver is conditioned upon Respondent's complete compliance with all of the terms of this Order.

14. This Order is a settlement of the Department's civil and administrative authority arising under Florida law to resolve the matters addressed herein. This Order is not a settlement of any criminal liabilities which may arise under Florida law, nor is it a settlement of any violation which may be prosecuted criminally or civilly under federal law. Entry of this

Order does not relieve Respondent of the need to comply with applicable federal, state, or local laws, rules, or ordinances.

15. The Department hereby expressly reserves the right to initiate appropriate legal action to address any violations of statutes or rules administered by the Department that are not specifically resolved by this Order.

16. Respondent is fully aware that a violation of the terms of this Order may subject Respondent to judicial imposition of damages, civil penalties up to \$15,000.00 per day per violation, and criminal penalties.

17. Respondent acknowledges and waives its right to an administrative hearing pursuant to sections 120.569 and 120.57, F.S., on the terms of this Order. Respondent also acknowledges and waives its right to appeal the terms of this Order pursuant to section 120.68, F.S.

18. Electronic signatures or other versions of the parties' signatures, such as .pdf or facsimile, shall be valid and have the same force and effect as originals. No modifications of the terms of this Order will be effective until reduced to writing, executed by both Respondent and the Department, and filed with the clerk of the Department.

19. The terms and conditions set forth in this Order may be enforced in a court of competent jurisdiction pursuant to sections 120.69 and 403.121, F.S. Failure to comply with the terms of this Order constitutes a violation of section 403.161(1)(b), F.S.

20. This Consent Order is a final order of the Department pursuant to section 120.52(7), F.S., and it is final and effective on the date filed with the Clerk of the Department unless a Petition for Administrative Hearing is filed in accordance with Chapter 120, F.S. Upon the timely filing of a petition, this Consent Order will not be effective until further order of the Department.

21. Persons who are not parties to this Consent Order, but whose substantial interests are affected by it, have a right to petition for an administrative hearing under sections 120.569 and 120.57, Florida Statutes. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition concerning this Consent Order means that

the Department's final action may be different from the position it has taken in the Consent Order.

The petition for administrative hearing must contain all of the following information:

- a. The name and address of each agency affected and each agency's file or identification number, if known;
- b. The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- c. A statement of when and how the petitioner received notice of the agency decision;
- d. A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- e. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
- f. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- g. A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the petition must also be mailed at the time of filing to the District Office at South District, 2295 Victoria Ave Fort Myers, Florida 33901. **Failure to file a petition within the 21-day period constitutes a person's waiver of the right to request an**

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administrative hearing and to participate as a party to this proceeding under sections 120.569 and 120.57, Florida Statutes. Within 10 days after filing a petition, a person whose substantial interests are affected by this Consent Order may choose to pursue mediation as an alternative remedy under section 120.573, Florida Statutes. Choosing mediation will not adversely affect such person’s right to an administrative hearing if mediation does not result in a settlement. Additional information about mediation is provided in section 120.573, Florida Statutes and Rule 62-110.106(12), Florida Administrative Code.

22. Rules referenced in this Order are available at <https://floridadep.gov/ogc/ogc/content/rules>.

FOR THE RESPONDENT:
CITY OF LABELLE

Julie Wilkins, Mayor

Date

THIS PORTION INTENTIONALLY LEFT BLANK

DEP vs. City of Labelle
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Page 9 of 9

Please do not write below this line. For DEP use only.

DONE AND ORDERED this _____ day of _____, 2025, in Lee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Elizabeth Sweigert
Director of South District Management
South District

Filed, on this date, pursuant to section 120.52, F.S., with the designated Department Clerk,
receipt of which is hereby acknowledged.

Clerk

Date

Copies furnished to: Lea Crandall, Agency Clerk Mail Station 35

Exhibit A
In-Kind Projects

I. Introduction

An in-kind project

a. Within 60 days of the effective date of this Consent Order, or of the Department’s notification that applying stipulated penalties to an in-kind project is acceptable, Respondent shall submit a detailed in-kind project proposal to the Department for evaluation. The proposal shall include a summary of benefits, proposed schedule for implementation and documentation of the estimated costs which are expected to be incurred to complete the project. These costs shall not include those incurred in developing the proposal or obtaining approval from the Department for the in-kind project.

b. If the Department requests additional information or clarification due to a partially incomplete in-kind project proposal or requests modifications due to deficiencies with Department guidelines, Respondent shall submit all requested additional information, clarification, and modifications within 15 days of receipts of written notice.

c. If upon review of the in-kind project proposal, the Department determines that the project cannot be accepted due to a substantially incomplete proposal or due to substantial deficiencies with minimum Department guidelines, Respondent shall be notified, in writing, of the reason(s) which prevent the acceptance of the proposal. Respondent shall correct and redress all of the matters at issue and submit a new proposal within 30 days of receipt of written notice. In the event that the revised proposal is not approved by the Department, Respondent shall make cash payment of the civil penalties as set forth in paragraph 6 of the Consent Order, within 30 days of Department notice.

d. Within 120 days of the effective date of this Consent Order, or, of the Department's notification that applying stipulated penalties to an in-kind project is acceptable Respondent shall obtain approval for an in-kind project from the Department. If an in-kind project proposal is not approved by the Department within 120 days of the effective date of this Consent Order, or, of the Department's notification that applying stipulated penalties to an in-kind project is acceptable then Respondent shall make cash payment of the civil penalties as set forth in paragraph 6 of the Consent Order, within 30 days of Department notice.

e. Within 180 days of obtaining Department approval for the in-kind proposal or in accordance with the approved schedule submitted pursuant to paragraph (a) above, Respondent shall complete the entire in-kind project.

f. During the implementation of the in-kind project, Respondent shall place appropriate sign(s) at the project site indicating that Respondent's involvement with the project is the result of a Department enforcement action. Respondent may remove the sign(s) after the project has been completed. However, after the project has been completed Respondent shall not post any sign(s) at the site indicating that the reason for the project was anything other than a Department enforcement action.

g. In the event, Respondent fails to timely submit any requested information to the Department, fails to complete implementation of the in-kind project or otherwise fails to comply with any provision of this paragraph, the in-kind penalty project option shall be forfeited, and the entire amount of civil penalties shall be due from the Respondent to the Department within 30 days of Department notice. If the in-kind penalty project is terminated and Respondent timely remits the \$5,750.00 penalty, no additional penalties shall be assessed under paragraph 7 of the Consent Order for failure to complete the requirement of this paragraph.

h. Within 15 days of completing the in-kind project, Respondent shall notify the Department of the project completion and request a verification letter from the Department. Respondent shall submit supporting information verifying that the project was completed in accordance with the approved proposal and documentation showing the actual costs incurred to complete the project. These costs shall not include those incurred in developing the proposal or obtaining approval from the Department for the project.

i. If upon review of the notification of completion, the Department determines that the project cannot be accepted due to a substantially incomplete notification of completion or due to substantial deviations from the approved in-kind project; Respondent shall be notified, in writing, of the reason(s) which prevent the acceptance of the project. Respondent shall correct and redress all of the matters at issue and submit a new notification of completion within 15 days of receipt of the Department's notice. If upon review of the new submittal, the Department determines that the in-kind project is still incomplete or not in accordance with the approved proposal, the in-kind penalty project option shall be forfeited, and the entire amount of civil penalty shall be due from Respondent to the Department within 30 days of Department notice. If the in-kind penalty project is terminated and Respondent timely remits the \$5,750.00, no additional penalties shall be assessed under paragraph 7 of the Consent Order for failure to complete the requirements of this paragraph.

RESOLUTION 2026 - 06

A RESOLUTION OF CITY OF LABELLE, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, Florida Statutes provide for loans to local government agencies to finance the pre-construction and construction of drinking water infrastructure and improvements; and

WHEREAS, Florida Administrative Code rules require authorization to apply for loans, to establish pledged revenues, to designate an authorized representative; to provide assurances of compliance with loan program requirements; and to enter into a loan agreement; and

WHEREAS, the State Revolving Fund loan priority list designates Project No. DW2603A as eligible for available funding; and

WHEREAS; the City of LaBelle, Florida, intends to enter into a loan agreement with the Department of Environmental Protection under the State Revolving Fund for project financing.

NOW, THEREFORE, be it resolved by the City Commission of the City of LaBelle, Florida that the City of LaBelle hereby resolves:

Section 1. The foregoing findings are incorporated herein by reference and made a part hereof.

Section 2. The City of Labelle, Florida, is authorized to apply for a loan to finance the Project.

Section 3. The revenues pledged for the repayment of the loan are utility fund revenues after payment of debt service on the City of LaBelle’s Water and Sewer Revenue Bonds – Series 2013 and Water and Sewer Refunding Revenue Bonds – Series 2022.

Section 4. The Mayor is hereby designated as the authorized representative to provide the assurances and commitments required by the loan application.

Section 5. The Mayor is hereby designated as the authorized representative to execute the loan agreement which will become a binding obligation in accordance with its terms when signed by both parties. The Mayor is authorized to represent the City in carrying out the City’s responsibilities under the loan agreement. The Mayor is authorized to delegate responsibility to appropriate City staff to carry out technical, financial, and administrative activities associated with the loan agreement.

Section 6. The legal authority for borrowing moneys to construct this Project is 166.111, Florida Statutes.

Section 7. All resolutions or part of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Section 8. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

Section 9. This Resolution shall become effective immediately upon its passage and adoption.

ADOPTED BY THE CITY COMMISSION of the City of LaBelle, Florida this this 12th day of February, 2026.

CITY OF LABELLE, FLORIDA

Attest:

By: _____
Tijuana Warner, Deputy City Clerk

By: _____
Julie C. Wilkins, Mayor

APPROVED AS TO FORM AND LEGALITY:

Derek Rooney, City Attorney

<u>VOTE:</u>			
Commissioner Holland	_____	(Yes)	_____ (No)
Vice Mayor Ratica	_____	(Yes)	_____ (No)
Commissioner Spratt	_____	(Yes)	_____ (No)
Commissioner Vargas	_____	(Yes)	_____ (No)
Mayor Wilkins	_____	(Yes)	_____ (No)

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

**STATE REVOLVING LOAN PROGRAM
FOR
DRINKING WATER FACILITIES**

LOAN APPLICATION



Florida Department of Environmental Protection
State Revolving Fund Program
Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000

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LOAN APPLICATION

- (1) SUBMITTAL. Submit the application and attachments to the Department of Environmental Protection, MS 3505, State Revolving Fund Program, Marjorie Stoneman Douglas Building, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000. The application (and supporting documentation) may be submitted electronically to the Department's Project Manager.
- (2) COMPLETING THE APPLICATION.
 - (a) This application consists of five parts: (I) ADMINISTRATIVE INFORMATION; (II) PROJECT INFORMATION; (III) FINANCIAL INFORMATION; (IV) AUTHORIZATION AND ASSURANCES; and (V) SUPPLEMENTARY INFORMATION.
 - (b) All information provided on this application must be printed. Monetary amounts may be rounded.
 - (c) Forms and attachments to be submitted are denoted with italic print.
- (3) ASSISTANCE. Completing this application may require information that can be obtained from the Drinking Water State Revolving Fund Program staff. Please email SRF_Reporting@dep.state.fl.us for assistance in completing this application.

PART I - ADMINISTRATIVE INFORMATION

(1) PROJECT SPONSOR City of LaBelle
 Federal Employer Identification Number 59-6000349
 DUNS Number _____

(2) AUTHORIZED REPRESENTATIVE (person authorized to sign or attest loan documents).
 Name Julie C. Wilkins Title Mayor
 Telephone 863-673-4529 Email juliewilkins@citylabelle.com
 Mailing Address 481 Hwy 80 W, LaBelle, FL 33935

(3) PRIMARY CONTACT (person to answer questions regarding this application).
 Name Morgan French Title Fiscal Solutions Director
 Telephone 850-703-3000 Email mfrench@woodardcurran.com
 Employer Woodard & Curran
 Mailing Address 1496 Hwy 90, Chipley, FL 32428

(4) ADDITIONAL CONTACTS. If more than one additional person is to receive copies of Department correspondence, attach the information (*Attachment #*_____).
 Name Jennifer Betancourt Title Finance Clerk
 Telephone 863-675-2872 Ext. 228 Email jenniferbetancourt@citylabelle.com
 Employer Woodard & Curran
 Mailing Address 481 W. Hickpochee Ave, LaBelle, FL 33935

(5) PROJECT NUMBER (listed on the Department's priority list). DW2603A

(6) INTERIM FINANCING. A local government project sponsor that has interim financing may be subject to certain conditions regarding such financing.

Is the project currently being funded with interim financing? Yes No

PART II – PROJECT INFORMATION

If you are applying for a planning or design loan for a project that will involve construction, complete only Subpart A below. If you are applying for a loan to construct a project that is already planned and designed, complete only Subpart B below.

A. PLANNING OR DESIGN PROJECT

Information should be provided for each separate facility to be planned and designed as appropriate. For design/build projects (not eligible for design loans) or those where multiple facilities, segments, or phases are involved, please attach information for activities, schedule, and cost for each. (Attachment #1_____)

- (1) **ACTIVITIES.** Attach a brief description of the scope of planning and design activities to be financed by this loan. Include a list of any engineering services to be performed. (Attachment #_____) Are these activities the same as those scheduled on the *Request for Inclusion Form*? Yes No. If “No”, please explain. (Attachment #_____)
- (2) **SCHEDULE.**
 - (a) Provide proposed completion dates for the items. (Please call Department staff to discuss time frames needed to complete required tasks.)

Planning documentation	8/26	_____
Engineering design	8/27	_____
Certification of site availability	11/27	_____
Permitting	11/27	_____
 - (b) Do you anticipate that an interlocal agreement with another party will be necessary to implement the project? If “Yes”, please explain. (Attachment #_____)
 - (c) Is this a design/build project?
- (3) **COST.** Is the cost information submitted for the planning or design loan priority list current? If “No”, please explain and submit revised cost information using the appropriate page of the *Request for Inclusion Form*. (Attachment #_____) Note that the disburseable amount will be limited to the priority list amount.

PLANNING OR DESIGN APPLICANTS PROCEED TO PART III.

B. CONSTRUCTION PROJECT

- (1) **ACTIVITIES.**
 - (a) Attach a brief description of construction activities to be financed by this loan. Include a list of the contracts (by title) corresponding to the plans and specifications accepted by the Department (Attachment #1_____).

Are these contracts the same as those scheduled on the <i>Request for Inclusion Form</i> ?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
--	-------------------------------------	-----	--------------------------	----

 If “No”, please explain. (Attachment #_____)
 - (b) Have any of the contracts been bid?

	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
--	--------------------------	-----	-------------------------------------	----

 If “Yes”, indicate which contracts have been bid. (Attachment #_____)
 - (c) Was planning or design for this project financed in another SRF loan?

	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
--	--------------------------	-----	-------------------------------------	----

 If “Yes”, give the SRF loan number. _____
 - (d) Does this project involve an interlocal agreement with other local governments or other entities?

	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
--	--------------------------	-----	-------------------------------------	----

 If “Yes”, attach a copy of the interlocal agreement. (Attachment #_____)
- Is the interlocal agreement fully executed and enforceable?

	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
--	--------------------------	-----	-------------------------------------	----

If "No", please explain (*Attachment #*_____).

- (2) SCHEDULE. (month and year)
- (a) Anticipated notice to proceed for first construction contract. _____
- (b) Anticipated completion of all construction contracts. _____
- (3) COST. Is the cost information submitted for the priority list current? Yes No

If "No", please explain and submit revised cost information using the appropriate page of the *Request for Inclusion Form*. (*Attachment #*_____). Note that the disburseable amount will be limited to the priority list amount.

PART III - FINANCIAL INFORMATION

Estimates of the capitalized interest, interest rate, pledged revenue coverage, limitations on annual loan amounts for large projects, applicability and amount of repayment reserves, amount of the loan service fee and any other information may be obtained by contacting staff in the State Revolving Fund Management Section.

- (1) PRINCIPAL. The requested amount of the loan which does not include capitalized interest is \$5,947,500

Note that the disburseable amount will be limited to the priority list amount and must be consistent with the project information provided under **PART II** of this application. Also note that the capitalized interest is an inexact estimate, and it is subject to adjustment by the Department to reflect actual disbursement timing. The principal amount of the loan does not include the loan service fee.

- (2) TERMS AND REPAYMENT.
- (a) Loans for planning and design shall be amortized over 10 years. Construction loans to local government project sponsors are amortized over the lesser of useful life of the project or 20 years unless the project is to serve a small community qualifying as financially disadvantaged. Construction loans to financially disadvantaged small communities may be amortized over the lesser of useful life of the project or 30 years. Construction loans to non-governmental project sponsors are amortized over the lesser of the useful life of the project or 20 years. Interest charges and principal are paid semiannually.
- What is the useful life of the project? 20 (years)
- Over how many years would you like to amortize the loan? 20 (years)
- (b) List all revenues that are to be pledged for repayment of this loan. Water & Sewer Net Revenues
- (c) Pledged revenue receipts or collections by the project sponsor must exceed the amount of the repayments due to the Department unless there are other collateral provisions. The excess revenue, or coverage, generally is 15% of each repayment.
- What coverage is proposed for the loan? 15 % (coverage percentage)
- (d) Is any other financial assistance being applied to this project? Yes No

If "Yes", please list. (*Attachment #*_____)

- (3) ANNUAL FUNDING LIMIT. Large project funding (generally, loans in excess of \$10 million) may be provided in increments pursuant to the initial loan agreement and subsequent amendments.
- (4) INFORMATION ON LIENS.
- (a) Describe, if applicable, all debt obligations having a prior or parity lien on the revenues pledged to repay this loan. (*Attachment #*2) For example: City Name, Florida, Water and Sewer System Revenue Bonds, Series 1996, issued in the amount of \$10,000,000, pursuant to Ordinance No. 93-104, as amended and supplemented by Ordinance No. 96-156.
- (b) Using the Part V, *Schedule of Prior and Parity Liens*, provide debt service information, if applicable, on each prior and parity obligation.

- (c) For the listed obligations, provide a copy of the ordinance(s), resolution(s), official statement(s), or pages thereof, setting forth the definitions, use of proceeds, debt service schedule, pledged revenues, rate covenants, provisions for issuing additional debt, provisions for bond insurance, and debt rating. (*Attachment #2*_____).
 - (d) Describe any other notes and loans payable from the revenues pledged to repay this loan. (*Attachment #*_____).
- (5) ACTUAL AND PROJECTED REVENUES.
- (a) Complete the Part V, *Schedule of Actual Revenues and Debt Coverage* for the past two fiscal years.
 - (b) Complete the Part V, *Schedule of Projected Revenues and Debt Coverage*, demonstrating the availability of pledged revenues for loan repayment.
- (6) AVAILABILITY OF PLEDGED REVENUES. All sources must be supported by a written legal opinion. (*Attachment #3*_____) The opinion must address the following:
- (a) Availability of the revenues to repay the loan.
 - (b) Right to increase rates at which revenues shall be collected to repay the loan.
 - (c) Subordination of the pledge if pledged revenues are subject to a prior or parity lien.
- (7) LOAN SERVICE FEE. A loan service fee is assessed on each loan. The fee is not part of the loan. The fee along with interest thereon will be deducted from the first available repayments after the final amendment to the loan agreement.

PART IV – AUTHORIZATION AND ASSURANCES

- (1) AUTHORIZATION. Provide an authorizing resolution of the Applicant's governing body or other evidence of authorization (*Attachment #4*_____) for the following:
- (a) Pledging revenues to repay the loan.
 - (b) Designation of the Authorized Representative(s) to file this application, provide assurances, execute the loan agreement, and represent the Applicant in carrying out responsibilities (including that of requesting loan disbursements) under the loan agreement.
- (2) ASSURANCES. The Applicant agrees to comply with the laws, rules, regulations, policies and conditions relating to the loan for this project. Applicants should seek further information from the Drinking Water State Revolving Fund Program staff as to the applicability of the requirements if the necessity for the assurances is of concern. Specifically, the Applicant certifies that it has complied, as appropriate, and will comply with the following requirements, as appropriate, in undertaking the Project:
- (a) Assurances for capitalization grant projects.
 1. Complete all facilities for which funding has been provided.
 2. The Applicant is advised, pursuant to 40 CFR 35 Section 35.3575, that a number of Federal law, executive orders, and government-wide policies can apply to your project or activity that is receiving Federal financial assistance. The Applicant agrees to read those provisions regarding the application of Federal cross-cutting authorities (cross-cutters) to determine their applicability to your specific project or activity.
 - (b) Assurances for other projects. Please note that Florida Statutes are available at <http://www.leg.state.fl.us>. They are also available at the following physical address: Florida Department of State Division of Library and Information Services R.A. Gray Building 500 South Bronough Street Tallahassee, Florida 32399-0250.
 1. Chapter 161, Part I, F.S., "Beach and Shore Preservation Act" and Part III, "Coastal Zone Protection Act of 1985" which regulate coastal zone construction and all activities likely to affect the condition of the beaches or shore.
 2. Chapter 163, Part II, F.S., the "Local Government Comprehensive Planning and Land Development Regulation Act" which requires units of local government to establish and implement comprehensive planning programs to control future development.
 3. Chapter 186, F.S., State and Regional Planning, which requires conformance of projects with Regional Plans and the State Comprehensive Plan.
 4. Chapter 253, F.S., "Emergency Archaeological Property Acquisition Act of 1988" which requires protection of archaeological properties of major statewide significance discovered during construction activities.

PART V – SUPPLEMENTARY INFORMATION

**SCHEDULE OF PRIOR AND PARITY LIENS
(EXCLUDING SRF LOANS)**

List annual debt service beginning two years before the anticipated loan agreement date and continue at least three additional fiscal years. Use additional pages as necessary.

	#1	#2	#3
Identify Each Obligation	Series 2013	Series 2022	
Coverage	_____ %	_____ %	_____ %
Insured?	_____ Yes _____ No	_____ Yes _____ No	_____ Yes _____ No

Fiscal Year	Annual Debt Service (Principal Plus Interest)			Total Debt Service	Total Debt Service Incl. Coverage
	#1	#2	#3		
20	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
2023	\$563568	\$ 134,876	\$ _____	\$ 698,443	\$ _____
2024	\$563885	\$ 188,010	\$ _____	\$ 751,895	\$ _____
2025	\$563010	\$ 187,175	\$ _____	\$ 750,185	\$ _____
2026	\$563970	\$ 187,295	\$ _____	\$ 751,265	\$ _____
2027	\$563710	\$ 187,348	\$ _____	\$ 751,058	\$ _____
2028	\$564258	\$ 187,703	\$ _____	\$ 751,960	\$ _____
2029	\$563585	\$ 187,965	\$ _____	\$ 751,550	\$ _____
2030	\$562720	\$ 188,098	\$ _____	\$ 750,818	\$ _____
2031	\$563663	\$ 188,100	\$ _____	\$ 751,763	\$ _____
2032	\$563358	\$ 187,973	\$ _____	\$ 751,330	\$ _____
2033	\$562833	\$ 187,935	\$ _____	\$ 750,768	\$ _____
2034	\$564088	\$ 187,878	\$ _____	\$ 751,965	\$ _____
2035	\$563068	\$ 187,608	\$ _____	\$ 750,675	\$ _____
2036	\$563828	\$ 187,125	\$ _____	\$ 750,953	\$ _____
2037	\$563313	\$ 187,430	\$ _____	\$ 750,743	\$ _____
2038	\$563550	\$ 187,480	\$ _____	\$ 751,030	\$ _____
2039	\$564513	\$ 187,275	\$ _____	\$ 751,788	\$ _____
2040	\$564173	\$ 187,815	\$ _____	\$ 751,988	\$ _____
2041	\$563558	\$ 188,058	\$ _____	\$ 751,615	\$ _____
2042	\$564668	\$ 188,003	\$ _____	\$ 752,670	\$ _____
20	\$563448	\$ 187,650	\$ _____	\$ 751,098	\$ _____
20	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
20	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
20	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
20	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
20	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

PART V – SUPPLEMENTARY INFORMATION**SCHEDULE OF ACTUAL REVENUES AND DEBT COVERAGE**

(Provide information for the two fiscal years preceding the anticipated date of the SRF loan agreement.)

	<u>Year 20²³</u>	<u>Year 20²⁴</u>
(a) Operating Revenues (Source)	\$3,413,607	\$3,798,858
(b) Interest Income		
(c) Other Income or Revenue (Identify)		
Capital Contributions	\$3,526,441	\$2,224,674
(d) Total Revenues	\$6,940,048	\$6,023,532
(e) Operating Expenses (excluding interest on debt, depreciation, and other non-cash items)	\$3,904,976	\$3,373,972
(f) Net Revenues [(f) = (d) – (e)]	<u>\$3,035,072</u>	<u>\$2,649,560</u>
(g) Debt Service (including any required coverage)	\$698,443	\$751,895
(h) Attach audited annual financial report(s), or pages thereof, or other documentation necessary to support the above information. Include any notes or comments from the audit reports regarding compliance with covenants of debt obligations having a prior or parity lien on the revenues pledged for repayment of the SRF Loan. (<i>Attachment #</i> <u>5</u>)		
(i) Attach worksheets reconciling this page with the appropriate financial statements (for example, backing out depreciation and interest payments from operating expenses). (<i>Attachment #</i> <u>6</u>)		
(j) If the net revenues were not sufficient to satisfy the debt service and coverage requirement, please explain what corrective action was taken. (<i>Attachment #</i> <u> </u>)		

PART V – SUPPLEMENTARY INFORMATION

SCHEDULE OF PROJECTED REVENUES AND DEBT COVERAGE

Begin with the fiscal year preceding first anticipated semiannual loan payment and continue for at least three additional years. Attach a separate page for previous State Revolving Fund loans.

	<u>Year 20 25</u>	<u>Year 20 26</u>	<u>Year 20 27</u>	<u>Year 20 28</u>	<u>Year 20 29</u>
(a) Operating Revenue	\$3,912,824	\$4,030,208	\$4,151,115	\$4,275,648	\$4,403,918
(b) Interest Income					
(c) Other Income or Revenue (identify)					
Capital Contributions	\$2,224,674	\$2,224,674	\$2,224,674	\$2,224,674	\$2,224,674
(d) Total Revenues	\$6,137,498	\$6,254,882	\$6,375,789	\$6,500,322	\$6,628,592
(e) Operating Expenses (excluding interest on debt, depreciation, and other non-cash items)	\$3,512,808	\$3,655,809	\$3,803,101	\$3,954,811	\$4,111,072
(f) Net Revenues (f = d - e)	\$2,624,690	\$2,599,073	\$2,572,688	\$2,545,511	\$2,517,520
(g) Revenue (including coverage) pledged to debt service, excluding SRF loans	\$750,185	\$751,265	\$751,058	\$751,960	\$751,550
(h) Revenue (including coverage) pledged to outstanding SRF loans	\$16,544	\$16,544	\$16,544	\$16,544	\$16,544
(i) Revenue Available for this SRF Loan [(i) = (f) – (g) – (h)]	\$1,857,961	\$1,831,264	\$1,805,087	\$1,777,007	\$1,749,426

(j) Identify the source of the above information and explain methods used to develop the projections (*Attachment #* 6). Include an explanation of any revenue and expense growth or other adjustments; for example, any rate increases, service growth, inflation adjustments, expense adjustments reflecting the cost of operating additional facilities, or other considerations.

(k) For construction loans, are the above projections consistent with the accepted financial feasibility information in the planning documents? Yes No

If “No”, please explain. (*Attachment #* _____)

Supplemental Appropriation for Hurricanes Helene and Milton

LaBelle Drinking Water Distribution System Redundancy and Emergency Interconnect

Project Description

The City of LaBelle identified a series of vulnerabilities to their drinking water system following Hurricane Helen and Milton. The City recently drafted a planning document and hydraulic model that described improvements to the City's drinking water system with the overall objective of improving system reliability, resiliency, and redundancy that will help to prevent operational interruptions in the event of a flood or natural disaster. The City of LaBelle has also been supporting (when possible) Hendry County through an emergency interconnect of the public water systems. The goal of this project is to add critical pipe redundancy within the distribution system, bolstering/augmenting the interconnect between the City of LaBelle and Hendry County, looping to facilitate reliability, redundancy, and pressure, valve replacement and adding additional finished water storage. All projects will include floodproofing of component structures and waterproofing of electrical equipment and circuitry, SCADA system for remote monitoring, control upgrades and cyber security improvements.

Location: (Lat/Long)

26°45'38"N 81°26'21"W

Water System PWS ID:

5260050

Project Cost:

Planning: \$112,500

Design: \$540,000

Construction: \$4,500,000

Construction Contingency: \$450,000

SDC: \$270,000

Asset Management Plan: \$75,000

Total Cost: **\$5,947,500**

Project Need:

Specific project elements that meet the program goals are listed below:

Drinking Water SRF

l. Projects that prevent interruption of water distribution system operation in the event of a flood or natural disaster, including but not limited to:

g. Installation/construction of redundant distribution system components and equipment

This project would install redundant distribution system components in critical sections of the City to improve pressure, volume, and emergency response.

h. Construction of interconnections with neighboring water systems which could provide an emergency water supply

This project would improve/augment the interconnections between the City of LaBelle and Hendry County to provide improved pressure and volume for emergency interconnections between the communities.

i. SCADA system projects to allow remote or multiple system operation locations

This project would install an improved SCADA system to key water distribution equipment in the City including but not limited to the water treatment facility, pumping and storage facilities.

WATER AND SEWER REVENUE BOND SERIES 2013

Loan 13,029,000.00 Rate 2.75% (365 DAYS)					Loan 8,000,000.00 Rate 2.75%					Loan 2,091,000.00 Rate 2.75%					Loan 2,938,000.00 Rate 2.75%									
Series 2013 A, B, & C TOTAL					Series 2013 A					Series 2013 B					Series 2013 C									
	Principal	Interest	Payment	Balance		Principal	Interest	Payment	Balance	Lender Stmt	Variance		Principal	Interest	Payment	Balance		Principal	Interest	Payment	Balance			
2013	-	-	-	13,029,000.00	2013	-	-	-	8,000,000.00	2013	-	-	2,091,000.00	-	-	-	2,091,000.00	2013	-	-	-	2,938,000.00		
2014	-	358,297.50	358,297.50	13,029,000.00	2014	220,000.00	220,000.00	8,000,000.00	2014	57,502.50	57,502.50	2,091,000.00	2014	80,795.00	80,795.00	2,938,000.00	2014	80,795.00	80,795.00	2,938,000.00				
2015	-	358,297.50	358,297.50	13,029,000.00	2015	220,000.00	220,000.00	8,000,000.00	2015	57,502.50	57,502.50	2,091,000.00	2015	80,795.00	80,795.00	2,938,000.00	2015	80,795.00	80,795.00	2,938,000.00				
2016	45,000.00	358,297.50	403,297.50	12,984,000.00	2016	220,000.00	220,000.00	8,000,000.00	2016	57,502.50	57,502.50	2,091,000.00	2016	45,000.00	80,795.00	125,795.00	2,893,000.00	2016	45,000.00	80,795.00	125,795.00	2,893,000.00		
2017	206,000.00	357,060.00	563,060.00	12,778,000.00	2017	127,000.00	220,000.00	347,000.00	7,873,000.00	2017	33,000.00	57,502.50	90,502.50	2,058,000.00	2017	46,000.00	79,557.50	125,557.50	2,847,000.00	2017	46,000.00	79,557.50	125,557.50	2,847,000.00
2018	212,000.00	351,395.00	563,395.00	12,566,000.00	2018	131,000.00	216,507.50	347,507.50	7,742,000.00	2018	34,000.00	56,595.00	90,595.00	2,024,000.00	2018	47,000.00	78,292.50	125,292.50	2,800,000.00	2018	47,000.00	78,292.50	125,292.50	2,800,000.00
2019	218,000.00	345,565.00	563,565.00	12,348,000.00	2019	134,000.00	212,905.00	346,905.00	7,608,000.00	2019	35,000.00	55,660.00	90,660.00	1,989,000.00	2019	49,000.00	77,000.00	126,000.00	2,751,000.00	2019	49,000.00	77,000.00	126,000.00	2,751,000.00
2020	224,000.00	339,570.00	563,570.00	12,124,000.00	2020	138,000.00	209,220.00	347,220.00	7,470,000.00	2020	36,000.00	54,697.50	90,697.50	1,953,000.00	2020	50,000.00	75,652.50	125,652.50	2,701,000.00	2020	50,000.00	75,652.50	125,652.50	2,701,000.00
2021	230,000.00	333,410.00	563,410.00	11,894,000.00	2021	142,000.00	205,425.00	347,425.00	7,328,000.00	2021	37,000.00	53,707.50	90,707.50	1,916,000.00	2021	51,000.00	74,277.50	125,277.50	2,650,000.00	2021	51,000.00	74,277.50	125,277.50	2,650,000.00
2022	237,000.00	327,085.00	564,085.00	11,657,000.00	2022	146,000.00	201,520.00	347,520.00	7,182,000.00	2022	38,000.00	52,690.00	90,690.00	1,878,000.00	2022	53,000.00	72,875.00	125,875.00	2,597,000.00	2022	53,000.00	72,875.00	125,875.00	2,597,000.00
2023	243,000.00	320,567.50	563,567.50	11,414,000.00	2023	150,000.00	197,505.00	347,505.00	7,032,000.00	2023	39,000.00	51,645.00	90,645.00	1,839,000.00	2023	54,000.00	71,417.50	125,417.50	2,543,000.00	2023	54,000.00	71,417.50	125,417.50	2,543,000.00
2024	250,000.00	313,885.00	563,885.00	11,164,000.00	2024	154,000.00	193,380.00	347,380.00	6,878,000.00	2024	40,000.00	50,572.50	90,572.50	1,799,000.00	2024	56,000.00	69,932.50	125,932.50	2,487,000.00	2024	56,000.00	69,932.50	125,932.50	2,487,000.00
2025	256,000.00	307,010.00	563,010.00	10,908,000.00	2025	158,000.00	189,145.00	347,145.00	6,720,000.00	2025	41,000.00	49,472.50	90,472.50	1,758,000.00	2025	57,000.00	68,392.50	125,392.50	2,430,000.00	2025	57,000.00	68,392.50	125,392.50	2,430,000.00
2026	264,000.00	299,970.00	563,970.00	10,644,000.00	2026	162,000.00	184,800.00	346,800.00	6,558,000.00	2026	43,000.00	48,345.00	91,345.00	1,715,000.00	2026	59,000.00	66,825.00	125,825.00	2,371,000.00	2026	59,000.00	66,825.00	125,825.00	2,371,000.00
2027	271,000.00	292,710.00	563,710.00	10,373,000.00	2027	167,000.00	180,345.00	347,345.00	6,391,000.00	2027	44,000.00	47,182.50	91,182.50	1,671,000.00	2027	60,000.00	65,202.50	125,202.50	2,311,000.00	2027	60,000.00	65,202.50	125,202.50	2,311,000.00
2028	279,000.00	285,257.50	564,257.50	10,094,000.00	2028	172,000.00	175,752.50	347,752.50	6,219,000.00	2028	45,000.00	45,952.50	90,952.50	1,626,000.00	2028	62,000.00	63,552.50	125,552.50	2,249,000.00	2028	62,000.00	63,552.50	125,552.50	2,249,000.00
2029	286,000.00	277,585.00	563,585.00	9,808,000.00	2029	176,000.00	171,022.50	347,022.50	6,043,000.00	2029	46,000.00	44,715.00	90,715.00	1,580,000.00	2029	64,000.00	61,847.50	125,847.50	2,185,000.00	2029	64,000.00	61,847.50	125,847.50	2,185,000.00
2030	293,000.00	269,720.00	562,720.00	9,515,000.00	2030	181,000.00	166,182.50	347,182.50	5,862,000.00	2030	47,000.00	43,450.00	90,450.00	1,533,000.00	2030	65,000.00	60,087.50	125,087.50	2,120,000.00	2030	65,000.00	60,087.50	125,087.50	2,120,000.00
2031	302,000.00	261,662.50	563,662.50	9,213,000.00	2031	186,000.00	161,205.00	347,205.00	5,676,000.00	2031	49,000.00	42,157.50	91,157.50	1,484,000.00	2031	67,000.00	58,300.00	125,300.00	2,053,000.00	2031	67,000.00	58,300.00	125,300.00	2,053,000.00
2032	310,000.00	253,357.50	563,357.50	8,903,000.00	2032	191,000.00	156,090.00	347,090.00	5,485,000.00	2032	50,000.00	40,810.00	90,810.00	1,434,000.00	2032	69,000.00	56,457.50	125,457.50	1,984,000.00	2032	69,000.00	56,457.50	125,457.50	1,984,000.00
2033	318,000.00	244,832.50	562,832.50	8,585,000.00	2033	196,000.00	150,837.50	346,837.50	5,289,000.00	2033	51,000.00	39,435.00	90,435.00	1,383,000.00	2033	71,000.00	54,560.00	125,560.00	1,913,000.00	2033	71,000.00	54,560.00	125,560.00	1,913,000.00
2034	328,000.00	236,087.50	564,087.50	8,257,000.00	2034	202,000.00	145,447.50	347,447.50	5,087,000.00	2034	53,000.00	38,032.50	91,032.50	1,330,000.00	2034	73,000.00	52,607.50	125,607.50	1,840,000.00	2034	73,000.00	52,607.50	125,607.50	1,840,000.00
2035	336,000.00	227,067.50	563,067.50	7,921,000.00	2035	207,000.00	139,892.50	346,892.50	4,880,000.00	2035	54,000.00	36,575.00	90,575.00	1,276,000.00	2035	75,000.00	50,600.00	125,600.00	1,765,000.00	2035	75,000.00	50,600.00	125,600.00	1,765,000.00
2036	346,000.00	217,827.50	563,827.50	7,575,000.00	2036	213,000.00	134,200.00	347,200.00	4,667,000.00	2036	56,000.00	35,090.00	91,090.00	1,220,000.00	2036	77,000.00	48,537.50	125,537.50	1,688,000.00	2036	77,000.00	48,537.50	125,537.50	1,688,000.00
2037	355,000.00	208,312.50	563,312.50	7,220,000.00	2037	219,000.00	128,342.50	347,342.50	4,448,000.00	2037	57,000.00	33,550.00	90,550.00	1,163,000.00	2037	79,000.00	46,420.00	125,420.00	1,609,000.00	2037	79,000.00	46,420.00	125,420.00	1,609,000.00
2038	365,000.00	198,550.00	563,550.00	6,855,000.00	2038	225,000.00	122,320.00	347,320.00	4,223,000.00	2038	59,000.00	31,982.50	90,982.50	1,104,000.00	2038	81,000.00	44,247.50	125,247.50	1,528,000.00	2038	81,000.00	44,247.50	125,247.50	1,528,000.00
2039	376,000.00	188,512.50	564,512.50	6,479,000.00	2039	231,000.00	116,132.50	347,132.50	3,992,000.00	2039	61,000.00	30,360.00	91,360.00	1,043,000.00	2039	84,000.00	42,020.00	126,020.00	1,444,000.00	2039	84,000.00	42,020.00	126,020.00	1,444,000.00
2040	386,000.00	178,172.50	564,172.50	6,093,000.00	2040	238,000.00	109,780.00	347,780.00	3,754,000.00	2040	62,000.00	28,682.50	90,682.50	981,000.00	2040	86,000.00	39,710.00	125,710.00	1,358,000.00	2040	86,000.00	39,710.00	125,710.00	1,358,000.00
2041	396,000.00	167,557.50	563,557.50	5,697,000.00	2041	244,000.00	103,235.00	347,235.00	3,510,000.00	2041	64,000.00	26,977.50	90,977.50	917,000.00	2041	88,000.00	37,345.00	125,345.00	1,270,000.00	2041	88,000.00	37,345.00	125,345.00	1,270,000.00
2042	408,000.00	156,667.50	564,667.50	5,289,000.00	2042	251,000.00	96,525.00	347,525.00	3,259,000.00	2042	66,000.00	25,217.50	91,217.50	851,000.00	2042	91,000.00	34,925.00	125,925.00	1,179,000.00	2042	91,000.00	34,925.00	125,925.00	1,179,000.00
2043	418,000.00	145,447.50	563,447.50	4,871,000.00	2043	258,000.00	89,622.50	347,622.50	3,001,000.00	2043	67,000.00	23,402.50	90,402.50	784,000.00	2043	93,000.00	32,422.50	125,422.50	1,086,000.00	2043	93,000.00	32,422.50	125,422.50	1,086,000.00
2044	430,000.00	133,952.50	563,952.50	4,441,000.00	2044	265,000.00	82,527.50	347,527.50	2,736,000.00	2044	69,000.00	21,560.00	90,560.00	715,000.00	2044	96,000.00	29,865.00	125,865.00	990,000.00	2044	96,000.00	29,865.00	125,865.00	990,000.00
2045	441,000.00	122,127.50	563,127.50	4,000,000.00	2045	272,000.00	75,240.00	347,240.00	2,464,000.00	2045	71,000.00	19,662.50	90,662.50	644,000.00	2045	98,000.00	27,225.00	125,225.00	892,000.00	2045	98,000.00	27,225.00	125,225.00	892,000.00
2046	454,000.00	110,000.00	564,000.00	3,546,000.00	2046	280,000.00	67,760.00	347,760.00	2,184,000.00	2046	73,000.00	17,710.00	90,710.00	571,000.00	2046	101,000.00	24,530.00	125,530.00	791,000.00	2046	101,000.00	24,530.00	125,530.00	791,000.00
2047	466,000.00	97,515.00	563,515.00	3,080,000.00	2047	287,000.00	60,060.00	347,060.00	1,897,000.00	2047	75,000.00	15,702.50	90,702.50	496,										

Loan	2,845,000.00	
Interest	to 9/2026	2.25%
	9/2027/ 9/2031	3.25%
	9/2032 and after	4.25%

	Principal	Interest	Payment	Balance
Beginning				2,845,000.00
9/1/2023	89,000.00	45,875.63	134,875.63	2,756,000.00
9/1/2024	126,000.00	62,010.00	188,010.00	2,630,000.00
9/1/2025	128,000.00	59,175.00	187,175.00	2,502,000.00
9/1/2026	131,000.00	56,295.00	187,295.00	2,371,000.00
9/1/2027	134,000.00	53,347.50	187,347.50	2,237,000.00
9/1/2028	115,000.00	72,702.50	187,702.50	2,122,000.00
9/1/2029	119,000.00	68,965.00	187,965.00	2,003,000.00
9/1/2030	123,000.00	65,097.50	188,097.50	1,880,000.00
9/1/2031	127,000.00	61,100.00	188,100.00	1,753,000.00
9/1/2032	131,000.00	56,972.50	187,972.50	1,622,000.00
9/1/2033	119,000.00	68,935.00	187,935.00	1,503,000.00
9/1/2034	124,000.00	63,877.50	187,877.50	1,379,000.00
9/1/2035	129,000.00	58,607.50	187,607.50	1,250,000.00
9/1/2036	134,000.00	53,125.00	187,125.00	1,116,000.00
9/1/2037	140,000.00	47,430.00	187,430.00	976,000.00
9/1/2038	146,000.00	41,480.00	187,480.00	830,000.00
9/1/2039	152,000.00	35,275.00	187,275.00	678,000.00
9/1/2040	159,000.00	28,815.00	187,815.00	519,000.00
9/1/2041	166,000.00	22,057.50	188,057.50	353,000.00
9/1/2042	173,000.00	15,002.50	188,002.50	180,000.00
9/1/2043	180,000.00	7,650.00	187,650.00	-
	2,845,000.00	1,043,795.63	3,888,795.63	
	2,502,000.00			
ST	131,000.00			
LT	2,371,000.00			
	<u>2,502,000.00</u>			

ACCRUED INTEREST

Balance	2,502,000.00	9/30/2025	9/1/2025
Interest	2.25%		
Days	28.00		
Interest	4,318.52		

BOND DEBT SERVICE
 Water and Sewer Revenue Bonds
 Water and Sewer Refunding Revenue Bonds Series 2022
 Draft Cashflows
 Dates are assumed, and rates are as provided by First Bank
 Payoff amounts provided by USDA
 Rate Changes are 3.25% starting 9/1/27, then 4.25% starting 9/1/32

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
09/01/2023	89,000	2.250%	45,875.63	134,875.63	134,875.63
03/01/2024					
09/01/2024	126,000	2.250%	62,010.00	188,010.00	188,010.00
03/01/2025					
09/01/2025	128,000	2.250%	59,175.00	187,175.00	187,175.00
03/01/2026					
09/01/2026	131,000	2.250%	56,295.00	187,295.00	187,295.00
03/01/2027					
09/01/2027	134,000	2.250%	53,347.50	187,347.50	187,347.50
03/01/2028					
09/01/2028	115,000	2.250%	72,702.50	187,702.50	187,702.50
03/01/2029					
09/01/2029	119,000	2.250%	68,965.00	187,965.00	187,965.00
03/01/2030					
09/01/2030	123,000	2.250%	65,097.50	188,097.50	188,097.50
03/01/2031					
09/01/2031	127,000	2.250%	61,100.00	188,100.00	188,100.00
03/01/2032					
09/01/2032	131,000	2.250%	56,972.50	187,972.50	187,972.50
03/01/2033					
09/01/2033	119,000	2.250%	68,935.00	187,935.00	187,935.00
03/01/2034					
09/01/2034	124,000	2.250%	63,877.50	187,877.50	187,877.50
03/01/2035					
09/01/2035	129,000	2.250%	58,607.50	187,607.50	187,607.50
03/01/2036					
09/01/2036	134,000	2.250%	53,125.00	187,125.00	187,125.00
03/01/2037					
09/01/2037	140,000	2.250%	47,430.00	187,430.00	187,430.00
03/01/2038					
09/01/2038	146,000	2.250%	41,480.00	187,480.00	187,480.00
03/01/2039					
09/01/2039	152,000	2.250%	35,275.00	187,275.00	187,275.00
03/01/2040					
09/01/2040	159,000	2.250%	28,815.00	187,815.00	187,815.00
03/01/2041					
09/01/2041	166,000	2.250%	22,057.50	188,057.50	188,057.50
03/01/2042					
09/01/2042	173,000	2.250%	15,002.50	188,002.50	188,002.50
03/01/2043					
09/01/2043	180,000	2.250%	7,650.00	187,650.00	187,650.00
	2,845,000		1,043,795.63	3,888,795.63	3,888,795.63

**COMBINING SCHEDULE OF REVENUES AND EXPENSES – BUSINESS-TYPE ACTIVITIES
UTILITY FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2023**

	<u>Water System</u>	<u>Sewer System</u>	<u>Solid Waste</u>	<u>Totals</u>
Operating revenues				
Charges for services	\$ 2,409,896	\$ 1,003,711	\$ 1,343,529	\$ 4,757,136
Total operating revenues	<u>2,409,896</u>	<u>1,003,711</u>	<u>1,343,529</u>	<u>4,757,136</u>
Operating expenses				
Administrative	748,925	321,074	-	1,069,999
Treatment plants	1,211,283	-	-	1,211,283
Water distribution	493,064	-	-	493,064
Wastewater collection	-	1,130,630	-	1,130,630
Sanitation fees	-	-	1,327,587	1,327,587
Depreciation	694,551	532,028	-	1,226,579
Total operating expenses	<u>3,147,823</u>	<u>1,983,732</u>	<u>1,327,587</u>	<u>6,459,142</u>
Operating income (loss)	<u>(737,927)</u>	<u>(980,021)</u>	<u>15,942</u>	<u>(1,702,006)</u>
Nonoperating revenues (expenses)				
Investment earnings	12,374	5,550	304	18,228
Interest expense	<u>(317,870)</u>	<u>(79,721)</u>	<u>-</u>	<u>(397,591)</u>
Total nonoperating revenues (expenses)	<u>(305,496)</u>	<u>(74,171)</u>	<u>304</u>	<u>(379,363)</u>
(Loss) before capital contributions	<u>(1,043,423)</u>	<u>(1,054,192)</u>	<u>16,246</u>	<u>(2,081,369)</u>
Capital contributions	<u>251,046</u>	<u>3,275,395</u>	<u>-</u>	<u>3,526,441</u>
Change in net position	<u>\$ (792,377)</u>	<u>\$ 2,221,203</u>	<u>\$ 16,246</u>	<u>\$ 1,445,072</u>

City of LaBelle, Florida

COMBINING SCHEDULE OF REVENUES AND EXPENSES – BUSINESS-TYPE ACTIVITIES
UTILITY FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024

	Water System	Sewer System	Solid Waste	Totals
Operating revenues				
Charges for services	\$ 2,687,969	\$ 1,110,889	\$ 1,235,365	\$ 5,034,223
Total operating revenues	<u>2,687,969</u>	<u>1,110,889</u>	<u>1,235,365</u>	<u>5,034,223</u>
Operating expenses				
Treatment plants	1,912,922	-	-	1,912,922
Wastewater collection	-	1,461,050	-	1,461,050
Sanitation fees	-	-	927,190	927,190
Depreciation	714,468	539,432	-	1,253,900
Total operating expenses	<u>2,627,390</u>	<u>2,000,482</u>	<u>927,190</u>	<u>5,555,062</u>
Operating income (loss)	<u>60,579</u>	<u>(889,593)</u>	<u>308,175</u>	<u>(520,839)</u>
Nonoperating revenues (expenses)				
Investment earnings	14,189	3,432	-	17,621
Interest expense	(319,197)	-	-	(319,197)
Total nonoperating revenues (expenses)	<u>(305,008)</u>	<u>3,432</u>	<u>-</u>	<u>(301,576)</u>
(Loss) before capital contributions	<u>(244,429)</u>	<u>(886,161)</u>	<u>308,175</u>	<u>(822,415)</u>
Capital contributions	<u>1,400,552</u>	<u>824,122</u>	<u>-</u>	<u>2,224,674</u>
Change in net position	<u>\$ 1,156,123</u>	<u>\$ (62,039)</u>	<u>\$ 308,175</u>	<u>\$ 1,402,259</u>

NOTE 7. LONG-TERM DEBT

Long-term debt activity for the year ended September 30, 2024 is summarized as follows:

	<u>Beginning Balance</u>	<u>Additions</u>	<u>Reductions</u>	<u>Ending Balance</u>	<u>Due Within One Year</u>
Governmental activities					
Notes payable from direct borrowings	\$ 60,740	\$ 387,765	\$ (60,740)	\$ 387,765	\$ 28,889
Revenue bond payable	236,048	-	(5,915)	230,133	6,108
Net pension liability	1,285,300	503,933	(643,646)	1,145,587	-
Total OPEB liability	35,544	3,146	(3,072)	35,618	-
Compensated absences	147,243	159,329	(226,508)	80,064	80,064
Total governmental activities	<u>\$ 1,764,875</u>	<u>\$ 1,054,173</u>	<u>\$ (939,881)</u>	<u>\$ 1,879,167</u>	<u>\$ 115,061</u>
Business-type activities					
Revenue bonds payable	\$ 14,170,000	\$ -	\$ (376,000)	\$ 13,794,000	\$ 384,000
Notes payable from direct borrowings	104,849	-	(13,796)	91,053	14,173
Net pension liability	627,784	246,191	(314,431)	559,544	-
Total OPEB liability	20,869	1,621	(1,582)	20,908	-
Compensated absences	58,549	27,070	(43,732)	41,887	41,887
Total business-type activities	<u>\$ 14,982,051</u>	<u>\$ 274,882</u>	<u>\$ (749,541)</u>	<u>\$ 14,507,392</u>	<u>\$ 440,060</u>

For the governmental activities, the net pension liability, total OPEB liability, and compensated absences are generally liquidated by the General Fund.

GOVERNMENTAL ACTIVITIES

Capital Improvement Revenue Bond - Series 2019

Revenue bonds payable bearing interest at 3.25%, issued to finance improvements to the City Civic Center secured by all legally available non-ad valorem revenues. Principal payments are due annually on April 5 each year until the year 2049. A debt service fund (sinking fund) and a reserve fund equal to one annual installment of principal and interest are required by the bond ordinance.

\$ 230,133

Note Payable

Financed purchase payable bearing interest at 5.25%, issued to finance the acquisition of a new fire truck. Principal payments are due annually on May 24 each year until the year 2034.

387,765

Total governmental activities

\$ 617,898

BUSINESS-TYPE ACTIVITIES

Revenue Bonds

Water and Sewer Revenue Bonds - Series 2013. 2.75% revenue bonds payable, issued to finance improvements to the water and sewer system; payment of principal, interest, and reserve account contributions are secured by the net revenues of the water and sewer system; bonds mature serially on September 1, each year until the year 2053.

\$ 11,164,000

Water and Sewer Revenue Refunding Bonds - Series 2022. 2.25% revenue bonds payable, issued to refund Series 2002 and Series 2005 bonds previously issued to finance improvements to the water and sewer system; payment of principal, interest, and reserve account contributions are secured by the net revenues of the water and sewer system; bonds mature serially on September 1, each year until the year 2043.

2,630,000

Note Payable

Note payable to the Florida Department of Environmental Protection - State Revolving Fund with the beginning of the repayment period to be first principal payment due on July 15, 2010. The note is payable in 40 semi-annual payments of \$8,272 including interest at 2.71%. The final maturity date of the loan is July 15, 2030. Proceeds from the loan were used to construct improvements to the older water treatment plant.

91,053

Total business-type activities

\$ 13,885,053

NOTE 7. LONG-TERM DEBT (CONTINUED)

The annual requirements to amortize all debt outstanding as of September 30, 2024 are outlined in the tables below:

GOVERNMENTAL ACTIVITIES

Fiscal Year	Principal	Interest	Total
2025	\$ 34,997	\$ 7,479	\$ 42,476
2026	38,429	7,281	45,710
2027	40,344	7,076	47,420
2028	42,315	6,864	49,179
2029	44,470	6,646	51,116
2030-2034	258,040	66,025	324,065
2035-2039	44,871	23,064	67,935
2040-2044	52,654	15,281	67,935
2045-2049	61,778	6,152	67,930
	<u>\$ 617,898</u>	<u>\$ 145,868</u>	<u>\$ 763,766</u>

BUSINESS-TYPE ACTIVITIES

Fiscal Year	Principal	Interest	Total
2025	\$ 398,173	\$ 368,557	\$ 766,730
2026	409,560	358,250	767,810
2027	419,957	347,646	767,603
2028	409,365	359,140	768,505
2029	420,784	347,311	768,095
2030-2034	2,191,214	1,581,973	3,773,187
2035-2039	2,479,000	1,276,188	3,755,188
2040-2044	2,716,000	855,323	3,571,323
2045-2049	2,332,000	485,870	2,817,870
2050-2053	2,109,000	146,878	2,255,878
	<u>\$ 13,885,053</u>	<u>\$ 6,127,136</u>	<u>\$ 20,012,189</u>

LaBelle DW

Actual Revenues and Debt Coverage (water & sewer)

Fiscal Year	2023	2024
Operating Revenue	3,413,607	3,798,858
Interest Income		
Other Income or Revenue (Other charges and fees)		
Other Income or Revenue (Impact Fee)		
Capital Contributions	\$ 3,526,441	\$ 2,224,674
Total Revenues	\$ 6,940,048	\$ 6,023,532
Operating Expenses	5,131,555	4,627,872
Depreciation	1,226,579	1,253,900
Op Expenses less Depreciation	\$ 3,904,976	\$ 3,373,972
Net Revenues	\$ 3,035,072	\$ 2,649,560
Debt Service	\$ 698,443	\$ 751,895

Fiscal Year	Actual Revenues and Debt Coverage		Schedule of Projected Revenues and Debt Coverage (assumes 3% year over year)				
	2023	2024	2025	2026	2027	2028	2029
Operating Revenue	\$ 3,413,607	\$ 3,798,858	\$ 3,912,824	\$ 4,030,208	\$ 4,151,115	\$ 4,275,648	\$ 4,403,918
Interest Income	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other Income or Revenue (Other charges and fees)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other Income or Revenue (Impact Fees)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Capital Contributions	\$ 3,526,441	\$ 2,224,674	\$ 2,224,674	\$ 2,224,674	\$ 2,224,674	\$ 2,224,674	\$ 2,224,674
Total Revenues	\$ 6,940,048	\$ 6,023,532	\$ 6,137,498	\$ 6,254,882	\$ 6,375,789	\$ 6,500,322	\$ 6,628,592
Operating Expenses	\$ 5,131,555	\$ 4,627,872	\$ 4,766,708	\$ 4,909,709	\$ 5,057,001	\$ 5,208,711	\$ 5,364,972
Depreciation	\$ 1,226,579	\$ 1,253,900	\$ 1,253,900	\$ 1,253,900	\$ 1,253,900	\$ 1,253,900	\$ 1,253,900
Operating Expenses Less Depreciation	\$ 3,904,976	\$ 3,373,972	\$ 3,512,808	\$ 3,655,809	\$ 3,803,101	\$ 3,954,811	\$ 4,111,072
Net Revenues	\$ 3,035,072	\$ 2,649,560	\$ 2,624,690	\$ 2,599,073	\$ 2,572,688	\$ 2,545,511	\$ 2,517,520
Revenue including coverage pledged to debt service, excluding SRF loans	698,443	751,895	\$ 750,185	\$ 751,265	\$ 751,058	\$ 751,960	\$ 751,550
Revenue including coverage pledged to outstanding SRF loans	\$ 16,544	\$ 16,544	\$ 16,544	\$ 16,544	\$ 16,544	\$ 16,544	\$ 16,544
Revenue Available for this SRF Loan	\$ 2,320,085	\$ 1,881,121	\$ 1,857,961	\$ 1,831,264	\$ 1,805,087	\$ 1,777,007	\$ 1,749,426

CWSRF Loans	Loan Amount	Semi-annual Loan Payment	Annual Loan Payment
CWSRF 2010	255,228.38	\$8,272	\$16,544
			\$0
			\$0
			\$0
			\$0
TOTAL:	\$255,228	\$8,272	\$16,544



CITY OF LABELLE, FLORIDA
Staff Report
for
Residence at Grand Oaks Tree Removal Permit

TYPE OF CASE: Tree Removal Permit Requiring City Commission Approval

STAFF REVIEWER: Patty Kulak

DATE: February 12, 2026

APPLICANT: Dan-Nico Properties

AGENT: Justyna Gale, Forward Planning & Design

REQUEST: Removal of three (3) significant oak trees from the subject property located at 2250 S. South Road 29 to support development of a multi-family residential community, with on-site mitigation in accordance with LDC Section 4-80

LOCATION: 2250 S. South Road 29

PROPERTY SIZE: 26.26+/-acres

STAFF NARRATIVE:

The applicant has submitted a request for approval to remove three (3) significant oak trees associated with the approved Residences at Grande Oaks Planned Unit Development, which was approved on September 11, 2025. The subject property consists of approximately 26.26 acres located at 2250 South State Road 29 and is currently undeveloped. The approved development program includes multi-family residential units, a clubhouse, and a retail component.

Based on the submitted tree survey and supporting documentation, a total of sixteen (16) significant oak trees have been identified on the site. Of these, the applicant proposes the removal of three (3) interior oak trees identified as Tree Nos. 30000 (36-inch DBH), 30019 (34-inch DBH), and 30031 (32-inch DBH), totaling 120 inches in diameter at breast height (DBH). The remaining thirteen (13) significant oak trees are proposed to remain and are to be protected during construction activities.

The applicant indicates that the site plan has been revised to minimize impacts to significant trees. However, the three trees proposed for removal are located internally within the site and are identified as conflicting with the approved site layout due to their positioning, changes in site elevation, and potential impacts to internal vehicular

circulation. The revised layout preserves the largest oak tree on the property, which measures approximately 48 inches in DBH, along with other significant oaks shown on the Existing and Proposed Conditions exhibits.

In accordance with the City’s tree mitigation requirements, removal of the three significant oak trees requires mitigation equivalent to 120 inches of DBH. The LDC provisions relating to the protection of significant oaks trees allow for the removal of oaks, subject to the following replanting requirements in LDC Section 4-80.16.5:

“The replacement Live Oak tree must be at minimum: ten (10) feet in height, contain a four (4) foot spread, and have four (4) inch caliper, DBH, at time of planting. All significant oak tree(s) approved for removal shall be replaced on a DBH inch for DBH inch basis.”

The applicant proposes to install thirty-five (35) replacement trees, each measuring approximately 4 inches in DBH and 10 feet in height, for a total mitigation value of 140 inches. The proposed mitigation exceeds the minimum requirement by 20 inches. Replacement trees are proposed within the northern and southern portions of the site, including areas where landscape buffers are not otherwise required by the Land Development Code.

The request has been submitted as a public hearing tree removal application in accordance with City procedures. The application materials include a completed tree removal application, narrative and mitigation statement, certified boundary and tree survey, and Existing and Proposed Conditions exhibits. These materials have been provided for City Commission review and consideration in determining whether the proposed tree removal and mitigation are consistent with applicable City standards and policies.

Staff finds the request is consistent with the LDC, subject to replanting on-site a total of 140 inches of live oak trees meeting the minimum planting specifications outlined LDC Section 4-80.16.5.6.

SUGGESTED MOTION(S)

APPROVAL:

I make a motion to approve the proposed tree removal permit, subject to replanting of 140 inches of live oaks trees on-site, meeting the minimum size specifications of the Land Development Code.

DENIAL:

I make a motion to deny the proposed tree removal permit.

The request does not meet the intent of the Comprehensive Plan and Land Development Code.

- 1) Why?

EXHIBIT A
SIGNIFICANT OAK TREE SURVEY



Tree Removal Application (A)

Section 7, Item A.



DATE RECEIVED: _____
 APPLICATION # _____
 CUSTOMER # _____
 INVOICE #: _____
 SUPERINTENDANT APPROVED: Y / N
 COMMISSION APPROVAL DATE: _____

Please select one:

- Single Family (1 Site) Administrative
- Single Family (1 Site) Public Hearing
- Commercial / All Other Administrative
- Commercial / All Other Public Hearing

1. APPLICANT: Dan-Nico Properties

(As Shown on Deed or Articles of Incorporation)

Name of Person Applying: Justyna Gale, Forward Planning & Design
 Mailing Address: 19046 Bruce B. Downs Boulevard, #308
 City: Tampa State: Florida Zip: 33647
 Email: Justyna@fwdplanning.com Phone: (352) 514-6158

2. PROPERTY OWNER (IF DIFFERENT FROM APPLICANT-YOU MUST LIST ALL OWNERS- PROVIDE A SEPARATE SHEET IF NECESSARY):

Owners Name: Dan-Nico Properties
 Mailing Address: 424 NE 2nd Street
 City: Boca Raton State: Florida Zip: 33432
 Email: BHerbert@galloherbert.com Phone: (954)461-6625

3. SPECIFIC LOCATION OF SUBJECT PROPERTY AFFECTED BY THIS APPLICATION:

Address/Location: 2250 S State Road 29
 City: Labelle State: Florida Zip: 33935
 Tax Parcel I. D. #: 1 29 43 20 A00 0002.0200

4. SUMMARY OF APPLICANT’S REQUEST:

The removal of three (3) significant oak trees is requested as a result of their internal positioning on the PUD Project site, variations in elevation, and potential impacts on vehicular circulation. Landscape buffers along the northern and southern property lines will be provided to mitigate the impact on the 3 significant oaks. The proposal includes installing 35 trees at 4" DBH and 10' in height, resulting in 140" of mitigation, which exceeds the required 120" by 20". Please see attached Proposed Tree Mitigation Plan for tree replacement mitigation.

5. PLEASE PROVIDE THE FOLLOWING ITEMS TO:

MWills@citylabelle.com and KimBarselou@citylabelle.com or City Hall, 481 West Hickpochee Avenue, LaBelle, FL 33975

- A. Completed Tree Removal Application Form**
- B. Affidavit of Ownership (Notarized)**
- C. Agent Authorization (Notarized):** The name of all parties having interest in the subject property and certification that the applicant is authorized to sign the application as owner or authorized agent.
- D. Proof of Ownership:** A copy of the tax bill or a printout from the Property Appraisers office is required with a legal description.
- E. Narrative & Mitigation Statement:** Written narrative explaining the existing conditions (number, location, species and size of existing significant oak trees); why the significant oak trees prevent reasonable development of the property; what alternatives have been considered by the applicant; description of method of tree removal or relocation (where applicable); and description of mitigation plan (number, location, species and size of oak trees proposed for planting), and details of off-site mitigation planting location (where applicable).
- F. Existing Conditions Exhibit/Drawing:** Drawing demonstrating the property boundary and location and type of significant oak tree(s) proposed for removal on 8 ½” x 11” paper (minimum size) with legible text showing all data pertinent to the application including the following:
1. Date of drawing
 2. Scale
 3. North arrow
 4. Name of person or firm preparing the plan
 5. Property boundary
 6. Trees proposed for removal, size and name of species
 7. Existing physical improvements including but not limited to existing building, access points, driveways, parking areas, easements (utility, drainage, electric).
- G. Proposed Conditions Exhibit/Drawing:** Drawing demonstrating the property boundary and location and type of proposed mitigation tree planting on 8 ½” x 11” paper (minimum size) with legible text showing all data pertinent to the proposed mitigation, including at least the following:
1. Date of drawing
 2. Scale
 3. North arrow
 4. Name of person or firm preparing the plan
 5. Property boundary
 6. Trees proposed for removal, size and name of species
 7. Existing physical improvements including but not limited to existing building, access points, driveways, parking areas, easements (utility, drainage, electric).

N/A **H. Verification Letters (where applicable):** Letter from a certified arborist, licensed landscape architect in the State of Florida, or other suitable expert verifying health of trees (only required where removal is requested due to failing health of the tree) AND/OR letter from certified engineer in the State of Florida verifying the tree proposed for removal is causing structural damage to existing structures (only required where applicable).

X **I. Certified Boundary and Tree Survey:** Required for commercial public hearing applications. May be required for single family public hearing applications.

 J. Additional Data: Any additional data, materials or information deemed necessary by the Superintendent of Public Works or the city commission to make a determination. If additional documents are required, they shall become a part of this permit.

X **K. Application Fee:** Check made payable to “City of LaBelle”. See the fee schedule on our website. [City of LaBelle](http://www.cityoflabelle.com)

ATTENTION:

This application must be completed (please type or legibly print) and submitted, with all requirements herein, to the Superintendent of Public Works, at City Hall 481 W. Hickpochee Ave., LaBelle, FL 33975 or via email to: mwills@citylabelle.com and kimbarselou@citylabelle.com. This application must be signed by the owner or the designated agent. If the applicant is different than the owner of the subject property, then an agent affidavit in a form approved by the City of LaBelle is required from the owner of the property. The agent affidavit must be completely filled out and submitted with this application. If the property is in multiple ownerships, then all owners or their designated agent(s) must sign this application. All owners of property that will be affected by this application must either sign this application or fill out an agent affidavit.

The applicant is fully responsible for researching and knowing any and all laws which may be applicable and affect the outcome of any decision on the applicant’s request. The City of LaBelle assumes no responsibility or liability relating to the failure of research and know all applicable laws including, but not limited to, state, federal and city laws, codes land development regulations or the adopted comprehensive plan. The city strongly recommends that all applicants consider consulting an attorney regarding their application.

Other Permits: Copies of all necessary state and federal permits must be submitted prior to the commencement of construction work on the site. The City of LaBelle is not responsible for determining applicable State and Federal permits.

PUBLIC HEARING APPLICATION – CITY COMMISSION ACTION:

If this application cannot be approved by administrative review, by the Superintendent of Public Works or their assignees, it will be forwarded to the City Planner to go before the city commission through the Public Hearing process for review. This process can take approximately two to three months from start to finish. The applicant will be responsible for all expenses for advertisements and outside consultants.

AFFIDAVIT OF OWNERSHIP (B)

Section 7, Item A.

I, BRIAN P. HERBERT certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any site plans, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief.

[Signature] 3/12/25
Signature of Authorized Agent Date

BRIAN P. HERBERT, MANAGER
Print or Type Name of Person Signing Above

DAN-NICO PROPERTIES, LLC
Name of Owner/Agent Entity if a Corporation, L.L.C., Partnership, or Trust

MANAGER
Representative capacity of person signing Affidavit: President or Vice President of Corporation, Managing Member of L.L.C., General Partner or Trustee

STATE OF Florida COUNTY OF Broward

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 3/12/25 by Brian P. Herbert,
Date Name of Person Providing Oath or Affirmation

who is personally known to me or who has produced _____
as identification. Type of Identification

NOTARY PUBLIC STAMP/SEAL:



[Signature]
Signature of Notary Public
HEATHER CHABOT
Printed Name of Notary Public
6-26-27
Commission Expires

AGENT AUTHORIZATION (C)

The undersigned to hereby swear or affirm that they are the fee simple title holders and owners of the record of property commonly known as RESIDENCES AT GRAND OAKS and legally described in Exhibit "D" attached hereto.

We hereby designate Robert Haught and Justyna Gale, Forward Planning & Design as the legal representative of the property in the course of seeking approval of this application. This representative will remain the only entity to authorize development activity until such time as a new or amended authorization is delivered to the City of LaBelle.

[Signature] 3/12/25
Signature of Authorized Agent Date

BRIAN P. HERBERT, MANAGER
Print or Type Name of Person Signing Above

DAN. NILO PROPERTIES, LLC
Name of Owner/Agent Entity if a Corporation, L.L.C., Partnership, or Trust

MANAGER
Representative Capacity of Person signing Affidavit: President or Vice President of Corporation, Managing Member of L.L.C., General Partner or Trustee

STATE OF Florida COUNTY OF Broward

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 3/12/25 by Brian P. Herbert
Date Name of Person Providing Oath or Affirmation

who is personally known to me or who has produced _____
as identification. Type of Identification

NOTARY PUBLIC STAMP/SEAL:



Heather Chabot
Signature of Notary Public
HEATHER CHABOT
Printed Name of Notary Public
6-26-27
Commission Expires

Residences at Grande Oaks PUD
Significant Oak Tree Removal Narrative

The proposed request is for a Significant Oak Tree Removal on the Residences at Grande Oaks PUD (approved September 11, 2025) The project site is approximately 26.26 acres located at 2250 State Road 29. The site is currently undeveloped. The Owner plans to develop a mixed-use project with multi-family apartments (232 units) clubhouse and retail (10,000 sq. ft).

The Project site contains 16 Significant notable oak trees. The Owner requests the removal of (3) three of the interior trees. The remaining 13 significant oaks will remain and be protected during construction.

The project site has been redesign to reduce the number of significant Oaks to be removed. However, the removal of three (3) oak trees has been requested as a result of their internal positioning on the site, variations in elevation, and potential impacts on vehicular circulation. The site’s redesign incorporated the preservation of the largest tree on the property, a 48-inch oak.

The following trees are proposed for removal. The numbers are shown in the attached Existing and Proposed Condition exhibits.

TREE #	SPECIES	DBH
30000	Oak	36”
30019	Oak	34”
30031	Oak	32”
Total		120”

Mitigation for the Removal of Significant Oaks

TREES REMOVED	3 trees
TREES REPLACED	35 trees
REQUIRED MITIGATION	120”
PROVIDED MITIGATION	140 “

Landscape buffers along the northern and southern property lines will be provided to mitigate the impact on significant oaks. According to the Land Development Code, landscape buffers are not mandated for the northern and southern property boundaries. However, the owner will provide tree replacement within these areas. The proposal includes installing 35 trees at 4" DBH and 10' in height, resulting in 140" of mitigation, which exceeds the required 120" by 20". Please see attached Proposed Tree Mitigation Plan for tree replacement.

Temporary Use/Special Event Application - City of LaBelle (A)



DATE RECEIVED: 1-28-2026
 APPLICATION # 1802
 CUSTOMER # SWFLH095
 INVOICE #: _____
 SUPERINTENDANT APPROVED: Y N
 COMMISSION APPROVAL DATE: 2/12/26
MEETING

EVENT DATE: 02/21/2026 EVENT HOURS: 6pm-midnight Number of people expected to attend 600

Beer/Wine to be served? Yes By whom: Contracted Staff Phone 863.673.2775

NOTE: Use of alcohol will need to be approved by the City Commission. The city must receive the application and all supporting documents a minimum of 24 days prior to the monthly City Commission meeting held on the 2nd Thursday every month.

Generator x 3 Portable lights x 2 Date of set up 02/20/2026 Date of tear down 02/22/2026

Tent x _____ size _____ Date of set up _____ Date of tear down _____

(Note: Generators, portable lights and tents over 900 sq ft will need to be inspected by the Fire Inspector)

Porta potties x 1 Date of delivery 02/20/2026 Date of removal 02/23/2026

Road closure needed - Include map with road closures clearly marked

1. APPLICANT: SW FLORIDA HEROES FOUNDATION INC

Name of Person Applying: Stephanie Diogo

Mailing Address: 10181 6 Mile Cypress Pkwy

City: Fort Myers State: FL Zip: 33966

Email: southernswampgala@gmail.com Phone: 863.673.2775

2. PROPERTY OWNER (IF DIFFERENT FROM APPLICANT - YOU MUST LIST ALL OWNERS - PROVIDE A SEPARATE SHEET IF NECESSARY):

Owners Name: CITY OF LABELLE

Mailing Address: _____

City: _____ State: FL Zip: _____

Email: _____ Phone: _____

3. SPECIFIC LOCATION OF SUBJECT PROPERTY AFFECTED BY THIS APPLICATION:

Address/Location: 845 Forrey Dr 22943 10A000001 0000

City: LaBelle State: FL Zip: 33935

4. **APPLICANT'S REQUEST-Proposed Temporary Use/Special Event Information-Type/Name of Event**
8th Annual Southern Swamp Gala

The event functions as a fundraiser benefiting the local SWFL Heroes Foundation, a nonprofit that supports community initiatives and heroes in Southwest Florida.

It's a fun, lively Southern-themed gala and dance that brings the community together while supporting a local cause.

5. **PLEASE PROVIDE THE FOLLOWING ITEMS TO:** MWills@citylabelle.com and KimBarselou@citylabelle.com or mail to City Hall, 481 West Hickpochee Avenue, LaBelle, FL 33975.

Please label each page accordingly (A., B., C., D., etc.). Fill in N/A if not applicable.

- A. Completed Application Form
- N/A B. Affidavit of Ownership (Notarized)
- N/A C. Agent Authorization (Notarized): The name of all parties having interest in the subject property and certification that the applicant is authorized to sign the application as owner or authorized agent.
- N/A D. Proof of Ownership: A copy of the tax bill or a printout from the Property Appraisers office is required with a legal description.
- E. Legible Site Plan: Drawing demonstrating right-of-way to be vacated on 8-1/2" x 11" paper with legible text showing all data pertinent to the proposed vacation, including at least the following:
 - Date of drawing
 - Location of proposed uses
 - Scale
 - North Arrow
 - Location of parking areas
 - Location of existing structures
 - Location of access point(s) from adjacent roadways
- N/A F. Emergency Action Plan - Required with events with an expected attendance of 1,000+ people
- G. Indemnification and Hold Harmless (Notarized) - - If the event is held on City property
- H. Certificate of Liability Insurance - Contact your service provider or go to www.gatherguard.com
- I. Copy of 501(c)3
- J. Certificate of registration-Seasonal Retailer or Business Tax License (sale of goods/products)
- K. Car Sales - Motor vehicle dealer or recreational dealer's license
- N/A L. Certificate of Flame Resistance for tent
- M. Copy of Florida Alcoholic Beverages Permit (Alcohol sold/served must be approved by the Commission)
- N. State of Florida Health Department License for each vendor (food sales)
- NDT AVAIL O. Rental Agreement -If the event is on City property or County property
- N/A P. Crowd management certificate of completion (indoor event with 50 or more people)
- N/A Q. Road Closure Map

SITE PHOTO W/ LAYOUT

PROVIDED TAX EXEMPT

IN PROGRESS

Letters of No Objection: On behalf of the applicant, if required- the City will request Letters of No Objection. If an objection is found, the city will inform the applicant. The applicant must contact the agency directly to resolve the issue and obtain letters.

- R. Hendry County Sheriff's Office:** Lt. Allen Hudson ahudson@hendrysheriff.org 863-674-5606
- S. Hendry County EMS:** Amy Stafford amy.stafford@hendryfla.net 863-674-5412
- T. City of LaBelle Fire Department:** Chief Brent Stevens bstevens@citylabelle.com 863-675-1537

6. FEES - MADE PAYABLE TO THE CITY OF LABELLE

WAIVED \$250.00 Temporary Use/Special Event Application Fee
N/A \$ 90.00 Tent Permit Fee (tents over 200 sq ft) / \$65.00 (tents under 200 sq ft)
N/A \$ 70.00 Fire Inspection: Tent, Generator and Portable Light (Tent 900 sq ft or larger)
5 Total submitted

ATTENTION:

ALL temporary use/special events are subject to final approval by the Superintendent of Public Works and/or the City Commission along with the Hendry County Sheriff's department, the City's Fire Department and EMS. Submission of your application does not guarantee approval of your event. Additional information may be required. Adjustments to your event plans may be needed for the event to be approved.

This application must be completed (please type or legibly print) and submitted, with all requirements herein, to the Superintendent of Public Works, at City Hall 481 W. Hickpochee Ave., LaBelle, FL 33975 or via email to: mwills@citylabelle.com and kimbarselou@citylabelle.com. This application must be signed by the owner or the designated agent. If the applicant is different than the owner of the subject property, then an agent affidavit is required from the owner of the property. The agent affidavit must be filled out and submitted with this application. If the property is in multiple ownerships, then all owners or their designated agent(s) must sign this application. All owners of property that will be affected by this application must either sign this application or fill out an agent affidavit.

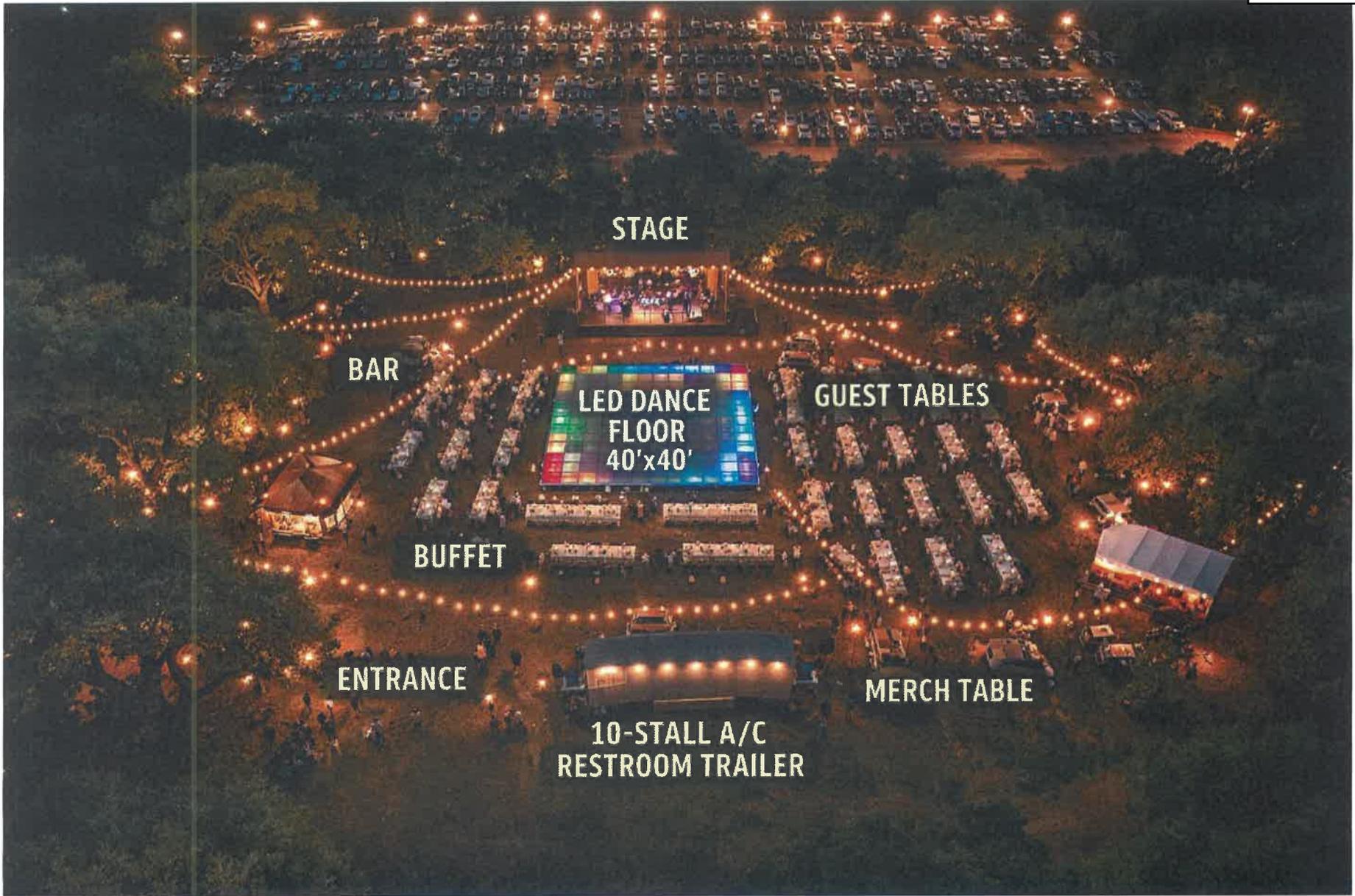
This application will be reviewed by city staff for completeness and approval. The applicant is fully responsible for researching and knowing all laws which may be applicable and affect the outcome of any decision on the applicant's request. The City of LaBelle assumes no responsibility or liability relating to the failure of the applicant to research and know all applicable laws including, but not limited to, state, federal and city laws, including, but not limited to, state, federal, and city laws, codes, land development regulations or adopted comprehensive plan.

Please refer to the City's municipal code for additional information **NOTE: the minimum standards apply to ALL temporary use/special events** [Chapter 4 - ZONING | Code of Ordinances | LaBelle, FL | Municode Library](#)

SOUND: All events are required to comply with the city's noise abatement ordinance, as well as Florida Statute 316.3045. The Hendry County Sheriff's Office officers have the authority to ask you to lower the volume and if a resolution is not achieved, they will shut down your event.

SIGNS: This permit does not include a sign permit-Please review the City ordinances for signage [Sec. 4-81. - Signs. | Code of Ordinances | LaBelle, FL | Municode Library](#)

PUBLIC HEARING APPLICATION – CITY COMMISSION ACTION: If this application cannot be approved by the Superintendent of Public Works or their assignees, it will be forwarded to the City Planner to go before the city commission through the Public Hearing process for review. This process can take approximately two to three months from start to finish. The applicant will be responsible for all expenses for advertisements and outside consultants.



HOLD HARMLESS / INDEMNIFICATION AGREEMENT (G)

Know all men by these presents that:

For and in consideration of the City of LaBelle approving this application for a Special Event / Temporary Use, I Stephanie Diogo hereby agree to hold the City of LaBelle, its Agents (Responsible Party)

and Employees, harmless from all actions, causes of actions, claims, damages, costs, loss of services, attorney fees, expenses and compensation on account of, or in any way arising out of my participation in any or all event(s) described in this application within the City of LaBelle, Florida; and further agrees to indemnify the City of LaBelle, its Agents and Employees, against any loss as a result of claims of persons or entities arising from the conducting of said event.

Stephanie Diogo 1/30/2020
Signature of Authorized Agent Date
Stephanie Diogo

Print or Type Name of Person Signing Above
SW Florida Heroes Foundation Inc

Name of Owner/Agent Entity if a Corporation, L.L.C., Partnership, or Trust
Director

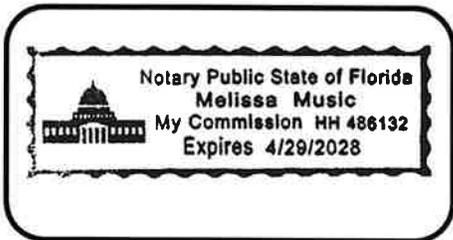
Representative Capacity of Person signing Affidavit: President or Vice President of Corporation, Managing Member of L.L.C., General Partner or Trustee

STATE OF Florida COUNTY OF Hendry

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 1/30/2020 by Stephanie Diogo,
Date Name of Person Providing Oath or Affirmation

who is personally known to me or who has produced _____
as identification. Type of Identification

NOTARY PUBLIC STAMP/SEAL:



Melissa Music
Signature of Notary Public
Melissa Music
Printed Name of Notary Public
04/29/2028
Commission Expires

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.
ADDITIONAL INSURED - DESIGNATED PERSON OR ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

Schedule

Name of Additional Insured Person(s) or Organization(s):

City of LaBelle
481 W Hickpochee Ave
LaBelle, FL 33935

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. **SECTION II - WHO IS AN INSURED** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury," "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

- 1. in the performance of your ongoing operations; or
- 2. in connection with your premises owned by or rented to you.

However:

- 1. the insurance afforded to such additional insured only applies to the extent permitted by law; and
- 2. if coverage provided to the Additional Insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these Additional Insureds, the following is added to **SECTION III - LIMITS OF INSURANCE**:

If coverage provided to the Additional Insured is required by a contract or agreement, the most we will pay on behalf of the Additional Insured is the amount of insurance:

- 1. required by the contract or agreement; or
- 2. available under the applicable Limits of Insurance shown in the Declarations; whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE T Section 7, Item B.

Date: JUL 22 2015

SW FLORIDA HEROES FOUNDATION INC
12295 S CLEVELAND AVENUE NUMBER 157
FORT MYERS, FL 33907-0000

Employer Identification Number:
47-4384258
DLN:
26053598001075
Contact Person: CUSTOMER SERVICE ID# 31954
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
June 26, 2015
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 5436



Consumer's Certificate of Exemption

Issued Pursuant to Chapter 212, Florida Statutes

Section 7, Item B.

R. 01/18

85-8016843677C-7	10/31/2025	10/31/2030	501(C)(3) ORGANIZATION
Certificate Number	Effective Date	Expiration Date	Exemption Category

This certifies that

SW FLORIDA HEROES FOUNDATION INC
 10181 6 MILE CYPRESS PKWY STE C
 FORT MYERS FL 33966-6401

is exempt from the payment of Florida sales and use tax on real property rented, transient rental property rented, tangible personal property purchased or rented, or services purchased.



Important Information for Exempt Organizations

DR-14
R. 01/18

1. You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases. See Rule 12A-1.038, Florida Administrative Code (F.A.C.).
2. Your *Consumer's Certificate of Exemption* is to be used solely by your organization for your organization's customary nonprofit activities.
3. Purchases made by an individual on behalf of the organization are taxable, even if the individual will be reimbursed by the organization.
4. This exemption applies only to purchases your organization makes. The sale or lease to others of tangible personal property, sleeping accommodations, or other real property is taxable. Your organization must register, and collect and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement except when they are the lessor of real property (Rule 12A-1.070, F.A.C.).
5. It is a criminal offense to fraudulently present this certificate to evade the payment of sales tax. Under no circumstances should this certificate be used for the personal benefit of any individual. Violators will be liable for payment of the sales tax plus a penalty of 200% of the tax, and may be subject to conviction of a third-degree felony. Any violation will require the revocation of this certificate.
6. If you have questions about your exemption certificate, please call Taxpayer Services at 850-488-6800. The mailing address is PO Box 6480, Tallahassee, FL 32314-6480.



DBPR ABT – 6003 APPLICATION FOR TEMPORARY PERMIT OR SPECIAL SALES LICENSE

TYPE OF APPLICATION	
<input checked="" type="checkbox"/> Temporary Permit	<input type="checkbox"/> Special Sales License

SECTION 1A: APPLICANT INFORMATION			
Full Name of Applicant(s) The permit will be issued in the name of the applicant as provided on the application.			
S.W. FLORIDA HEROES FOUNDATION, INC.			
Applicant Mailing Address			
10181 6 Mile Cypress Pkwy			
City	County	State	Zip Code
Fort Myers	Lee	FL	33966
Applicant Telephone Number		Applicant E-mail Address	
239.309.2870		southernswampgala@gmail.com	
Corporation or Other Legal Entity If the applicant is a corporation or other legal entity, enter the name and the document number related to the legal entity as registered with the Florida Department of State Division of Corporations.			
FEIN Number		Florida Department of State Document Number	
47-438425		N15000006361	

SECTION 1B (OPTIONAL): DESIGNATED CONTACT			
A contact person must be designated below if the applicant prefers to designate a person other than the applicant to receive and reply to Division communications regarding this application. The designated contact person will be permitted to make changes to the application paperwork on behalf of the applicant, and the Division will communicate directly with the contact person regarding the application. The applicant will not be copied on communications from the Division to the designated contact. It is the responsibility of the applicant to inform the Division if there is a change of designated contact and/or to the contact information of the designated contact.			
Full Name of Designated Contact			
Stephanie Diogo			
Designated Contact Mailing Address			
1135 Firebrand Ct			
City	County	State	Zip Code
LaBelle	Glades	FL	33935
Designated Contact E-mail Address		Designated Contact Telephone Number	
southernswampgala@gmail.com		863.673.2775	
		Ext.	

DBPR ABT – 6003 APPLICATION FOR TEMPORARY PERMIT OR SPECIAL SALES LICENSE

SECTION 2: DATES AND LOCATION FOR PERMIT OR LICENSE			
Dates of Active Use for Temporary Permit or Special Sales License Provide the date(s) of the event or sale when the permit or license will be effective. The dates provided may not exceed three days.			
Day 1	Day 2	Day 3	
February 21, 2026	February 22, 2026		
Address for Physical Location of Temporary Event or Special Sales Event			
845 Forrey Dr			
City	County	State	Zip Code
LaBelle	Hendry	FL	33935
Is the event location currently licensed for sales of alcoholic beverages under a permanent license issued by the Division? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, obtain attestation of permanent license holder in Section 8.			

SECTION 3: SALES TAX CERTIFICATION TO BE COMPLETED BY THE FLORIDA DEPARTMENT OF REVENUE	
270	
Full Name of Applicant(s)	
S.W. FLORIDA HEROES FOUNDATION, INC.	
Florida Department of Revenue Verification of Registration The named applicant(s) for a temporary permit or special sales license has complied with Florida Statutes concerning registration for Sales and Use Tax and has paid or agreed to pay any applicable taxes due.	
Authorized Agency Signature	<i>Justin Wohler</i>
Printed Name	Justin Wohler
Title	Tax Specialist 1
Date	1/26/26 Valid for 30 days
APPROVED BY FLORIDA DEPARTMENT OF REVENUE	

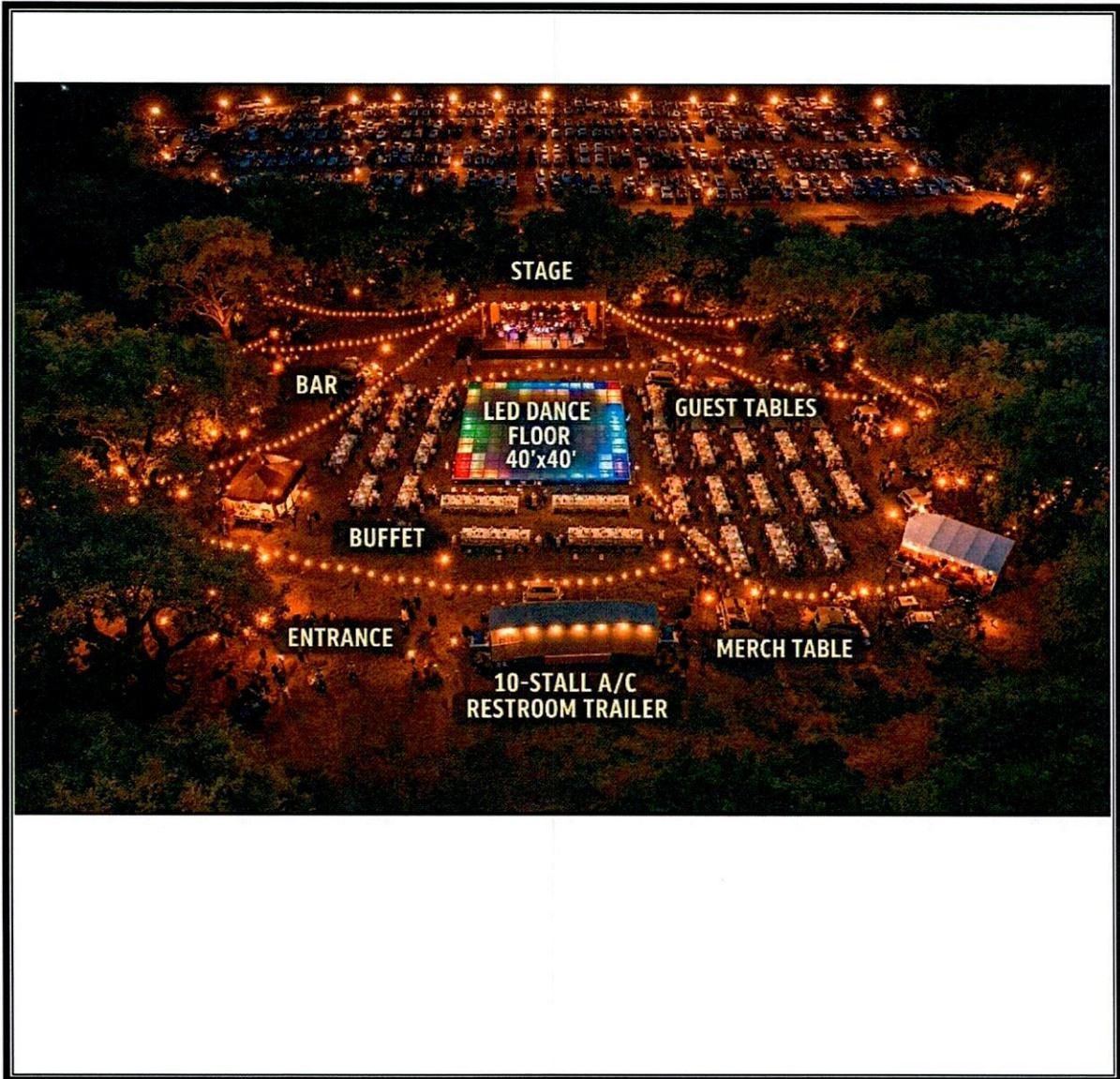
DBPR ABT – 6003 APPLICATION FOR TEMPORARY PERMIT OR SPECIAL SALES LICENSE

1500 MONROE
1925 HENRY

SECTION 4: LOCAL ZONING APPROVAL			
TO BE COMPLETED BY THE ZONING AUTHORITY GOVERNING THE TEMPORARY EVENT LOCATION			
Location of Temporary Event			
Street Address			
845 Forrey Dr			
City	County	State	Zip Code
LaBelle	Hendry	FL	33935
Local Zoning Approval			
The location of the temporary event complies with local ordinances for the temporary sale of alcoholic beverages based on the information supplied by the applicant in this application.			
Authorized Agency Signature _____			
Printed Name _____			
Title _____			
Date _____			

DBPR ABT – 6003 APPLICATION FOR TEMPORARY PERMIT OR SPECIAL SALES LICENSE

SECTION 5: DESCRIPTION OF PREMISES OF TEMPORARY EVENT	
Full Name of Applicant(s)	S.W. FLORIDA HEROES FOUNDATION, INC.
Name or Title of Temporary Event	The 8th Annual Southern Swamp Gala
Neatly draw a floor plan of the premises in ink, including: sidewalks and other outside areas which are contiguous to the premises, walls, doors, counters, points of sale of alcoholic beverages, storage areas, restrooms, bar locations, and any other specific areas which are part of the premises where the event will be held. A multi-story building where the entire building is to be licensed must show the details of each floor.	



DBPR ABT – 6003 APPLICATION FOR TEMPORARY PERMIT OR SPECIAL SALES LICENSE

SECTION 6: AFFIDAVIT OF APPLICANT FOR TEMPORARY PERMIT
NOTARIZATION REQUIRED

Full Name of Applicant(s)

S.W. FLORIDA HEROES FOUNDATION, INC.

"The applicant requesting the permit in the above and foregoing application is a nonprofit civic organization, charitable organization, municipality or county, and the permit, if used, will be used only by the applicant organization on the date(s) requested and at the location stated. By acceptance of this permit, the applicant agrees that, as a nonprofit or civic organization, all net profits from sales of alcoholic beverages during the permitted period will be retained by it, or, as a municipality or county, all net profits from sales of alcoholic beverages during the permit period will be donated to a nonprofit civic or charitable organization within 90 days after the permitted event. As a municipality or county, the applicant attempted to solicit a qualified nonprofit civic or charitable organization to conduct such sales for the permitted event but has been unable to find such a qualifying nonprofit civic or charitable organization in a reasonable and practicable manner and timeframe. The applicant organization has not received more than twelve (12) permits within the calendar year, unless otherwise authorized by law, and the applicant agrees that the location may be inspected and searched during the time that the permit is issued and business is being conducted without a search warrant by authorized agents or employees of the Division of Alcoholic Beverages and Tobacco, the Sheriff, Deputies, and Police Officers for purposes of determining compliance with the Florida Beverage Law.

I, the undersigned individual, or if a corporation, for itself, its officers and directors, hereby swear or affirm that I am duly authorized to make the above and foregoing application and, as such, I swear under oath or affirmation under penalty of perjury as provided for in sections 559.791, 562.45, and 837.06, Florida Statutes, that the foregoing information is true and correct."

Stephanie Diago
Signature of Applicant/Affiant

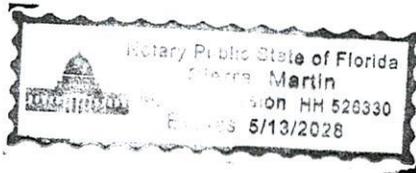
STATE OF Florida

COUNTY OF Hendry

Sworn to (or affirmed) and subscribed before me this 20th day of January, 20 26

by Stephanie Diago (print affiant name).

Personally Known
 Produced Identification
Type of Identification Produced



Sierra Martin
Signature of Notary Public – State of Florida

Sierra Martin
Name of Notary Public – Typed, Printed, or Stamped

(NOTARY SEAL)

Commission Expires: 5/13/2028

FOR DIVISION USE ONLY

DATE ACCEPTED BY DISTRICT OFFICE:

DBPR ABT – 6003 APPLICATION FOR TEMPORARY PERMIT OR SPECIAL SALES LICENSE

SECTION 7: AFFIDAVIT OF APPLICANT FOR SPECIAL SALES LICENSE
NOTARIZATION REQUIRED

Full Name of Applicant(s)

S.W. FLORIDA HEROES FOUNDATION, INC.

"As the applicant requesting the special sales license in the above and foregoing application, I understand that this license allows package sales in sealed containers for a period of up to three days, and does not permit the sale of alcoholic beverages for consumption on the premises. I agree that the location may be inspected and searched during the hours that the special sale is being conducted without a search warrant by authorized agents or employees of the Division of Alcoholic Beverages and Tobacco, the Sheriff, Deputies, and Police Officers for purposes of determining compliance with the Florida Beverage Law.

I, the undersigned individual, or if a corporation, for itself, its officers and directors, hereby swear or affirm that I am duly authorized to make the above and foregoing application and, as such, I swear under oath or affirmation under penalty of perjury as provided for in sections 559.791, 562.45, and 837.06, Florida Statutes, that the foregoing information is true and correct."

[Handwritten Signature]
Signature of Applicant/Affiant

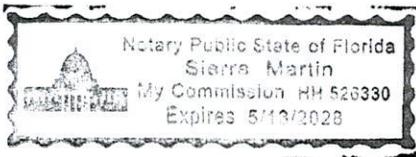
STATE OF Florida

COUNTY OF Henry

Sworn to (or affirmed) and subscribed before me this 20th day of January, 2026,

by Alexandre Diogo (print affiant name).

Personally Known
 Produced Identification
Type of Identification Produced _____



(NOTARY SEAL)

[Handwritten Signature]
Signature of Notary Public – State of Florida

Sierra Martin
Name of Notary Public – Typed, Printed, or Stamped

Commission Expires: 5/31/2028

FOR DIVISION USE ONLY

DATE ACCEPTED BY DISTRICT OFFICE:

DBPR ABT – 6003 APPLICATION FOR TEMPORARY PERMIT OR SPECIAL SALES LICENSE

SECTION 8: ATTESTATION BY PERMANENT LICENSE HOLDER FOR USE OF LICENSED PREMISES AS A PERMITTED TEMPORARY EVENT		
<p>An attestation is to be obtained from the current, permanent alcoholic beverage license holder when the temporary event of the applicant nonprofit civic organization, charitable organization, municipality, or county is hosted at a location that is permanently licensed by the Division of Alcoholic Beverages & Tobacco for the sale of alcoholic beverages.</p> <p>NOTE: The attestation must have the original signature of the alcoholic beverage license holder (only persons on file with the Division may sign) and must be submitted by the nonprofit civic organization, charitable organization, municipality, or county as part of the application for the Temporary Permit.</p>		
<p>Full Name of Permanent License Holder at Temporary Event Location</p>		
<p>Business Name (D/B/A)</p>		
<p>License Number</p>	<p>Series of Permanent License</p> <p>Series Type:</p>	
<p>Contact Person for Permanent License Holder</p>	<p>Contact Person Telephone Number</p> <p style="text-align: right;">Ext.</p>	
<p>Contact Person E-mail Address</p>		
<p>Name of Applicant for Temporary Permit</p> <p>S.W. FLORIDA HEROES FOUNDATION, INC.</p>		
<p>Date(s) of Temporary Event</p>		
<p>Day 1</p> <p>February 21, 2026</p>	<p>Day 2</p> <p>February 22, 2026</p>	<p>Day 3</p>
<p>A temporary permit is being requested for an event to be held on your licensed premises. During the permitted dates and times of the event, no sales or service of alcoholic beverages may be made under your permanent alcoholic beverage license in the area identified for use by the temporary permit applicant in Section 5 of this application. Failure to comply may result in administrative charges being filed against your license.</p>		
<p>_____ Signature of Permanent License Holder at Temporary Event Location</p>		<p>Date _____</p>
<p>_____ Printed Name of Permanent License Holder at Temporary Event Location</p>		



Ron DeSantis, Governor

Melanie S. Griffin, Secretary

Section 7, Item B.



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DIVISION OF HOTELS AND RESTAURANTS

THE NON-SEATING FOOD SERVICE (2010) HEREIN IS LICENSED UNDER THE
PROVISIONS OF CHAPTER 509, FLORIDA STATUTES

NBR. OF SEATS: 0

SULLIVANS CATERING & BBQ LLC

SULLIVANS CATERING & BBQ LLC
11770 A METRO PKWY
FORT MYERS FL 33966

LICENSE NUMBER: NOS4607496

EXPIRATION DATE: DECEMBER 1, 2026

Always verify licenses online at MyFloridaLicense.com

ISSUED: 10/13/2025

Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.



Sheriff



Hendry County

STEVE WHIDDEN, SHERIFF

Prepared for:
SWFL Heroes Foundation, Inc.
Stephanie Sposato

Address:
29 Fort Thompson Avenue
LaBelle, FL. 33935.

**Prepared by Lieutenant Allen Hudson
Hendry County Sheriff's Office**

This document is intended to serve as confirmation of the fact that the Hendry County Sheriff's Office has no objections to the upcoming Southern Swamp Gala event.

Hendry County Sheriff's Office will respond to all calls for service as needed and check on the event throughout.

I did speak with Mrs. Stephanie Sposato in reference to this event and was assured that private security would be on site.

The event starts on 02-21-2026 at 06:00pm until ending on 02-22-2026 at 12:00am. The location of the event is 845 Forrey Drive in Labelle Florida 33935. I have also been provided with a copy of the site map in case of any emergencies.

You are welcome to call me at either number below if you have any questions or concerns.

Thank you.

A handwritten signature in black ink, appearing to read "A. Hudson".

**Lieutenant Allen Hudson
Road Patrol District Commander
ahudson@hendrysheriff.org
Office: 863-674-5606
Cell: 863-673-1984**



Hendry County Public Safety

PO Box 1760

LaBelle, Florida 33975-1760

Phone (863) 674-5412

Fax (863) 612-0723

AMY STAFFORD
OPERATIONS CHIEF
AMY.STAFFORD@HENDRYFLA.NET

SHEILA SHELTRA
EMS COORDINATOR
SHEILA.SHELTRA@HENDRYFLA.NET

DR. T. WEBER, M.D
MEDICAL DIRECTOR

January 29, 2026

To Whom it May Concern

I have been contacted by SW Florida Heros Foundation Inc regarding their 8th Annual Swamp Gala planned for February 21, 2026 at LaBelle Regional Sports Complex. Hendry County EMS has no objection to the event, and this event should not change our normal operations. If you have any questions, please feel free to contact me.

Sincerely,

Amy M. Stafford
Hendry County Public Safety
EMS/Fire Operations Chief
Amy.stafford@hendryfla.net

From: [Antonio Barnett](#)
To: [Tia Warner](#)
Cc: [Brett Sarver](#); [Victor De Jesus](#)
Subject: RE: Annual Rate Adjustments - Prior Year's Request
Date: Thursday, December 11, 2025 4:09:22 PM
Attachments: [image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image001.png](#)
[image002.png](#)

You don't often get email from antonio.barnett@wasteconnections.com. [Learn why this is important](#)

Tia, good afternoon!

Thank you for sending the information over. Using the index provided in the contract and based on the September 2025 vs September 2024 CPI numbers stated below, we would like to request a 4.837% rate adjustment.

Rate Adjustment = (319.867 – 305.108)/305.108 = 4.837%

Should you need any further information and/or for this request to be presented differently, please do not hesitate to contact me – 614.806.1659.

Thanks again!

Table 2. Consumer Price Index for All Urban Consumers (CPI-U): U.S. city average, by detailed expenditure category, September 2025 — Continued
 [1982-84=100, unless otherwise noted]

Expenditure category	Relative importance Aug. 2025	Unadjusted percent change		Seasonally adjusted percent change		
		Sep. 2024- Sep. 2025	Aug. 2025- Sep. 2025	Jun. 2025- Jul. 2025	Jul. 2025- Aug. 2025	Aug. 2025- Sep. 2025
Owners' equivalent rent of primary residence ¹³ , ..	25.034	3.8	0.2	0.3	0.4	0.1
Tenants' and household insurance ^{1, 2}	0.422	7.5	1.2	1.0	0.6	1.2
Water and sewer and trash collection services ²	1.089	4.8	0.1	0.4	0.4	0.1
Water and sewerage maintenance ¹	0.742	4.6	0.4	0.3	0.3	0.4
Garbage and trash collection ^{1, 10}	0.347	5.4	-0.5	0.6	0.5	-0.5
Household operations ^{1, 2}						
Domestic services ^{1, 2}						
Gardening and lawn care services ^{1, 2}	0.361	13.9				
Moving, storage, freight expense ²	0.125	1.6	0.5	-0.9	-1.7	1.3
Repair of household items ^{1, 2}						
Medical care services.....	6.765	3.9	0.2	0.8	-0.1	0.3
Professional services.....	3.680	2.6	-0.1	0.7	0.1	-0.4
Physicians' services ¹	1.895	2.4	0.1	0.2	0.2	0.1

 AI Overview

For the US Consumer Price Index (CPI) on Garbage & Trash Collection (CUUR0000SEHG) for **September 2024**, data from the Fed and BLS shows significant increases, with [Trading Economics](#) citing a record high of **305.10800 in September 2024 for Water/Sewer/Trash**, and BLS reports indicating overall CPI growth, with specific category details available through BLS Data. [🔗](#)

Key Data Points:

- **Water, Sewer & Trash Services (US City Avg.):** Reached a high of approximately **305.108** in September 2024, according to [Trading Economics](#).
- **Overall CPI-U (US):** The [Bureau of Labor Statistics \(BLS\)](#) reported a 2.4% annual increase in CPI-U for the 12 months ending September 2024, with a monthly rise of 0.2%. [🔗](#)

Where to Find More:

- **BLS Website:** For the official, detailed breakdown by specific service codes like CUUR0000SEHG, visit the BLS Consumer Price Index page.
- **Trading Economics:** Offers historical data and charts for this specific service category. [🔗](#)

◆ AI Overview

For September 2025, the Consumer Price Index (CPI) for **Garbage and Trash Collection Services (CUUR0000SEHG)** for All Urban Consumers (CPI-U) was **approximately 319.867**, reflecting a slight increase from August 2025, with the over CPI-U showing a 3.0% annual rise, indicating continued, though moderating, price growth for essential services like waste collection in the U.S..

Key Figures (U.S. City Average, Not Seasonally Adjusted):

- **September 2025 Index:** 319.867 (Index Dec 1997=100).
- **August 2025 Index:** 319.403.
- **Monthly Change (Sep):** About +0.14% (from 319.403 to 319.867).
- **Overall CPI-U (All Items):** Increased 3.0% year-over-year in September 2025.

Where to Find More Data:

- [Federal Reserve Bank of St. Louis \(ALFRED\)](#) for specific service indexes.
- [U.S. Bureau of Labor Statistics \(BLS\)](#) for detailed CPI reports and news releases.

Antonio Barnett

Dist. Controller - Fort Myers, FL

C: 614.806.1659

From: Tia Warner <tiawarner@citylabelle.com>
Sent: Thursday, December 11, 2025 9:36 AM
To: Antonio Barnett <antonio.barnett@wasteconnections.com>
Subject: RE: Annual Rate Adjustments - Prior Year's Request

Greetings Antonio,

I've attached the Waste Connections Agreement, please refer to Section 8 Rate Adjustments with an example as well.

Respectfully,

Tijauna L. Warner, MPA, MMC
 Deputy City Clerk |PIO |RMLO
 481 West Hickpochee Avenue LaBelle, FL. 33935
 tiawarner@citylabelle.com
<https://citylabelle.com> (863)675-2872

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*"Watch your thoughts, THEY BECOME WORDS.
Watch your words, THEY BECOME ACTIONS.
Watch your actions, THEY BECOME HABITS.
Watch your habits, THEY BECOME CHARACTER.
WATCH YOUR CHARACTER, IT BECOMES YOUR DESTINY."
-Frank Outlaw*

From: Antonio Barnett <antonio.barnett@wasteconnections.com>
Sent: Wednesday, December 10, 2025 4:18 PM
To: Tia Warner <tiawarner@citylabelle.com>
Subject: Annual Rate Adjustments - Prior Year's Request

You don't often get email from antonio.barnett@wasteconnections.com. [Learn why this is important](#)
Good afternoon!

Thank you for taking the time to speak with me earlier. If you could send me an example of what was submitted previously for the annual rate adjustments for Waste Connections, that would be greatly appreciated. I want to make sure we are mimicking the same process and format as what was provided in years past.

Thank you!

Antonio Barnett
Dist. Controller - Fort Myers, FL
C: 614.806.1659



**City of LaBelle Board of Commissioners
Agenda Request**

To: Honorable Mayor and City Commission
Prepared By: Linda Phillips
Date of Meeting: 02/12/2026
Date Submitted: 01/27/2026
Title of Agenda Item: Animal Control
Agenda Location: Provided to City Clerk

Report in brief: Discussion and Possible Action Regarding LaBelle Animal Control Facility Conditions, Euthanasia Practices, and Statutory Compliance

Background / Summary:

This agenda item is requested to allow the City Commission to review and discuss ongoing concerns related to LaBelle Animal Control operations, facility conditions, euthanasia practices, and compliance with applicable Florida statutes.

Concerns have been raised repeatedly over the past year regarding the lack of basic environmental controls for animals housed at the facility, including fans and heat mitigation measures. Offers of volunteer assistance and donated materials have reportedly been declined due to stated maintenance, safety, or insurance limitations, with no alternative corrective actions implemented to date.

Additional concerns involve euthanasia rates and practices, including reports of a non-certified Animal Control Officer allegedly directing the euthanasia of all cats housed in the cat room in a single day. These reports raise questions regarding authority, training, oversight, and compliance with humane and legal standards.

There are also concerns regarding whether LaBelle Animal Control is complying with statutory requirements for advertising and notification of lost and stray animals prior to disposition, including the requirements outlined in **Florida Statute 823.15**.

Due to the seriousness of these issues and the duration of unresolved concerns, formal Commission discussion and direction is requested.



CITY OF LABELLE, FLORIDA
Planning Staff Report
For
LaBelle Riverside PUD

TYPE OF CASE: PUD Rezone

STAFF REVIEWER: Patty Kulak

DATE: February 12, 2026

APPLICANT: Henry A. Fish – Arrowhead Investments of SWFL, LLC

AGENT: Justin Ebrite - Patriot Engineering Co.

REQUEST: Amend/extend the previous approval for a PUD rezoning approval for the 9.35+/-acre subject property from Multi-Family Residential (R-3) and Business Professional (B-1) to Planned Unit Development (PUD) to allow for a maximum of 93 multi-family dwelling units and 5,000 SF of commercial uses. The PUD has expired per Condition 15 of Ordinance 2020-13.

LOCATION: South of Cowboy Way and ¼ mile east of Martin Luther King Jr. Blvd. (See Location Map)

PROPERTY SIZE: 9.35+/-acres

FUTURE LAND USE DESIGNATION, CURRENT ZONING AND LAND USE:

Existing Future Land Use Designation: Residential & Commercial (Outlying Mixed Use Future Land Use Map Amendment Pending)

Existing Zoning: Multi-Family Residential (R-3) & Business Professional (B-1)

Land Use: Agriculture (citrus crops)

SURROUNDING LAND USE:

North: FLU – Residential
Zoning – Residential Medium Density (R-1)
Land Use – Right-of-Way (Cowboy Way); Mobile Homes
South: FLU – Agriculture (Hendry County)

Zoning – Agriculture (A-2)
Land Use – Right-of-Way (Mary Street); Public (David Pratt Park)

East: FLU – Residential High Density (Hendry County)
Zoning – Residential High Density (RG-3M)
Land Use – Residential (Single-Family & Mobile Homes)

West: FLU – Residential High Density (Hendry County)
Zoning – Residential High Density (RG-3M)
Land Use – Residential (Single-Family & Mobile Homes)

REVISIONS SINCE L.P.A.:

Based on the submitted PUD Master Concept Plan Addendum, the proposed amendments are limited in scope and focus on refining site design and functionality, and extending the PUD expiration date for 5 years from approval. The revisions include an increase in the multi-family parking ratio from 1.5 spaces per unit to 2.0 spaces per unit, with additional parking spaces added accordingly to meet current Land Development Code requirements. The plan also introduces a playground area adjacent to the community gathering space, adds a secondary optional access drive along the southern portion of the site to improve emergency access and circulation, and makes minor adjustments to the internal multi-use path to accommodate the revised driveway layout while preserving existing oak trees

STAFF NARRATIVE:

Henry A. Fish – Arrowhead Investments of SWFL, LLC (“Applicant”) is requesting approval of an amendment to the previously approved Planned Unit Development (PUD) for the 9.35± acre subject property. The original PUD approval allowed for up to 5,000 square feet of commercial uses, 93 multi-family dwelling units, private on-site recreational amenities, and supporting infrastructure, concurrent with approval of a Future Land Use Map amendment re-designating the property to the Outlying Mixed-Use future land use category. The commercial uses were limited in nature to neighborhood-serving commercial retail and services.

The current request does not increase the approved residential density, commercial square footage, or modify the schedule of uses. Instead, the amendment is limited to revisions to the PUD Master Concept Plan intended to refine site design and address operational and safety considerations and extend the PUD approval. Specifically, the applicant proposes to revise the parking ratio for the multi-family component from 1.5 spaces per unit to 2.0 spaces per unit, with corresponding additional parking spaces added to the site. Additional minor site modifications include the incorporation of a playground area near the community gathering space, adjustments to the internal multi-use path, and the addition of a secondary access drive along the southern portion of the property to improve circulation and emergency access while minimizing impacts to existing oak trees.

The property is surrounded by a mix of non-residential and residential uses, including single-family dwellings, mobile homes, and farmworker housing to the east and west. Along the Cowboy Way frontage, the land use pattern includes commercial and light industrial uses. A large park known Davis Pratt Park, abuts the property to the south.

All lands to the south, east and west are within unincorporated Hendry County. These lands are designated as Residential High Density. This future land use category allows residential uses up to 10 dwelling units per acre and mixed-use development with commercial uses up to a Floor Area Ratio of 1.0 (for example, a one acre property could be developed with up to 43,560 SF of commercial uses under this FAR limitation). The surrounding lands are also zoned Residential High Density Mobile Home (RG-3M).

PROPOSED DEVELOPMENT

The overall layout of the proposed community is depicted on the Master Concept Plan, attached as Exhibit D. Primary access to the site is provided via one (1) full-access driveway from Cowboy Way. An additional, optional secondary ingress and egress connection is proposed along the southern portion of the site to Mary Street to accommodate emergency access. If gated, this access will be equipped with an approved Knox Box or keypad system. A pedestrian connection to Davis Pratt Park is also provided along the southern boundary. A 10-foot-wide streetscape buffer is proposed along the Cowboy Way frontage in compliance with the LDC.

The Master Concept Plan demonstrates a commercial outparcel containing 5,000 SF of commercial space along the Cowboy Way frontage, with the bulk of the property proposed for multi-family buildings and accessory recreational uses. The proposed Schedule of Use limits this parcel to neighborhood commercial/lower intensity commercial uses.

The residential component consists of 93 multi-family dwelling units distributed among six (6) buildings, each limited to a maximum height of two (2) stories. Five-foot-wide Type "A" landscape buffers are provided along the eastern and western property lines. While the LDC does not require perimeter buffers where multi-family development abuts single-family uses, the inclusion of these buffers represents an enhancement to the City's minimum design standards. The proposed density of 10 du/acre is consistent with the adjacent Hendry County maximum densities per the County's High Density Residential FLU category.

Private, on-site recreational amenities, including a community building, community gathering areas, and a playground, are centrally located within the site to minimize impacts to adjacent properties. These amenities are integrated with internal pedestrian circulation and open space areas.

Parking is proposed in accordance with the LDC requirement of two (2) spaces per multi-family dwelling unit. The revised Master Concept Plan reflects an increased parking supply to meet this standard. Staff recommends a condition of approval to ensure parking is provided consistent with the LDC and to require that parking areas adjacent to amenity spaces be designed to accommodate guest and overflow parking needs.

The Property will connect to the City's potable water and sanitary sewer system via developer-funded improvements and extensions of existing utility lines. Wastewater service will be provided via gravity sewer mains, an onsite lift station, and a force main to the nearest viable connection point. Two potential connection points are an existing 4" force main approximately 1,000 feet east of this project near the Hendry LaBelle Civic

Park, and an existing 4" force main approximately 2,000 feet east of this project near LaBelle Elementary School. The City of LaBelle Superintendent of Public Works has noted that utility capacity will be determined at the time of site construction plan permitting.

The City of LaBelle Fire Chief has commented that the site must connect to municipal water services to provide adequate flow to an on-site hydrant system and sprinklers within the buildings.

The subject property contains a total of 58 significant oak trees. The Master Concept Plan proposes the preservation of 41 significant oak trees, with tree placement and internal circulation designed to minimize impacts. Standard conditions are included to require mitigation for any trees approved for removal through on-site replacement planting in accordance with City requirements

COMPATIBILITY

The proposed Schedule of Use limits this parcel to neighborhood commercial/lower intensity commercial uses, which is appropriate to locate adjacent to the proposed multi-family uses and along the Cowboy Way frontage.

A streetscape buffer is provided in accordance with the LDC to enhance views along the public roadway. The MCP provides for a 5-foot wide Type "A" buffers along the eastern and western property lines, in addition to a 6' tall privacy (opaque) fence, which is in excess of the LDC requirements.

The proposed density is approximately 10 du/acre, which is consistent and below the maximum attainable density allowed in the Town Center sub-district of the Outlying Mixed-Use future land use category and consistent with the approved density in abutting Hendry County lands. This density strikes a balance between lower density single-family uses to the east and west, and the higher intensity commercial frontage along Cowboy Way. It is also appropriate to locate higher density residential uses proximate to public facilities, such as parks and schools, which are in the immediate area. Building heights are appropriately limited to 45 feet.

Based upon the conditions for streetscape plantings and perimeter buffers, architectural consistency throughout the project, standards for perpetual maintenance of common areas, and the City's intent to direct higher density development to areas with existing infrastructure, Staff finds the PUD compatible with the surrounding neighborhood.

FUTURE LAND USE/COMPREHENSIVE PLAN COMPLIANCE

The Property is proposed for designation within the Outlying Mixed-Use future land use category and is further designated as a "Town Center" based upon the parcel size of 9.35+/-acres. Town Centers include developments up to 14 acres in size and are intended for higher residential density, office, and commercial retail uses. Non-residential uses will be concentrated along major street frontages and will have direct access to a collector or arterial street with interconnection between developments strongly encouraged.

The site has frontage on Cowboy Way, an arterial roadway, which provides an opportunity for both commercial frontage and higher density residential in a mixed-use development. In addition to compliance with the underlying future land use category, the PUD is consistent with the following Goals, Objectives and Policies of the City's Comprehensive Plan:

Future Land Use Objective 1.2 (Balanced Urban Growth)

The PUD will facilitate a compact development pattern that provides opportunities to more efficiently use and develop infrastructure, land and other resources and services by concentrating more intensive growth in a mixed-use land use designation. The site is located in an urbanized portion of the City with available infrastructure to serve the project.

Future Land Use Policy 1.3.2 (Outlying Mixed Use Land Use Category)

The PUD is consistent with the intent of the Outlying Mixed-Use future land use category provide for integrated mixed-use development. The proposed density of 10 du/acre is below the maximum permitted density of 14 du/acre allowed in the Town Center sub-district, for parcels 14 acres in size or less. This subdistrict encourages higher density residential development and commercial in locations with direct access to arterial and collector streets. The development has been proposed in the form of a Planned Unit Development, as required by this policy.

Transportation Element Objective 2.4 (Provision of Multi-modal Transportation)

As conditioned, the PUD will ensure that internal sidewalks are constructed to provide a variety of transportation opportunities for residents.

Housing Element Policy 3.1.1 (Affordable Housing)

The PUD directly supports the City's policy to encourage and promote development controls that provide flexibility and innovation in residential design, and permit a range of housing types, sizes, styles, and price ranges.

Housing Element Policies 3.11.2 & 3.11.3 (New Housing Developments)

The PUD will allow for residential development in areas within, or adjacent to, established growth areas of the City, and where adequate and necessary public facilities and services are available.

Infrastructure Element Policy 4.3.2 (Surface Water & Groundwater Quality)

The PUD will connect to potable water and sanitary sewer services, eliminating the potential for well and septic tanks on the property, and thereby supporting the City's policy to uphold the quality of public surface and groundwater supply sources.

Recreation and Open Space Element Policy 6.7.1 & 6.7.3 (Private Parks)

As conditioned, the PUD will provide for private, on-site recreation space and landscaping for aesthetic and energy conservation purposes. The site is also proximate to public parks.

STAFF RECOMMENDATION:

Staff finds that the PUD is consistent with the Land Development Code and the Comprehensive Plan and recommends **APPROVAL** with the following conditions:

1. The Rezone request applied to the property is described in Exhibit 'A'.
2. The PUD is limited to a maximum of 93 multi-family dwelling units and 5,000 SF of commercial uses.
3. Allowable uses shall be limited to those listed in the Schedule of Uses, attached as Exhibit 'B'.
4. Development Standards will conform to the Development Standards Table, attached as Exhibit 'C'.
5. All development must conform to the general design of the Master Concept Plan contained in Exhibit 'D' and the requirements of the Land Development Code.
6. All residential buildings (including amenity structures), signage and accessory structures within the development must have consistent architectural theme and color palette.
7. Site construction plans must demonstrate an internal sidewalk system to connect the residential buildings to on-site amenities and recreational areas, parking, and to the external sidewalk network.
8. Development must connect to the City's potable water and sanitary sewer system. A demonstration of capacity will be required at the time of development, in addition to sufficient water pressure for a hydrant system and sprinklers within the building, if required by the Florida Building Code and NFPA fire prevention code.
9. The developer/owner or their designee, which may include a property owners association (POA) or homeowner's association (HOA) must maintain common areas, parking areas, and infrastructure within the community. If a POA/HOA is established, documents must be provided to the City at the time of site construction plan permitting.
10. A minimum of 30% of the development, or 2.8+/- acres, of open space shall be provided within the PUD. At minimum of 10%, or 0.93+/-acres of the site must be in the form of useable open space as defined in the Land Development Code, and which may include both passive and active recreational uses.
11. A minimum of 2 parking spaces per dwelling unit must be provided on the site construction plans. This may include parking spaces in private garages and driveways for townhome dwelling types. In addition, the amenity site must include a minimum of three (3) parking spaces.
12. Dumpsters, recycling facilities and service areas must be setback a minimum of 25 feet from the PUD boundary and screened via an opaque wall or fence.
13. A streetscape buffer must be provided along Cowboy Way in accordance with the LDC. A 6-foot tall opaque fence and a 5-foot wide Type A buffer must be provided along the eastern and western property lines.
14. This PUD authorizes the removal of seventeen (17) significant oak trees, to be replanted on-site with Live Oak trees in accordance with LDC Section 4-80.16.5. If additional significant oak trees must be removed to develop the project in accordance with the Master Concept Plan, the removal of any additional trees

must be mitigated in accordance with LDC Section 4-80.16.5 without further review by the Commission.

- 15. The PUD Master Concept Plan will remain valid for not more than five (5) years from the date of City Commission approval. Horizontal construction must commence within five (5) years or the MCP will be deemed vacated. Upon such time a new PUD zoning approval must be filed and approved by the City Commission. A one (1) time extension of three (3) years may be submitted to the City prior to vacation of the MCP for administrative approval, where Staff determines the LDC regulations applicable to the development of the PUD have not substantially changed. If Staff determines the LDC regulations have substantially changed since adoption of the PUD, the extension must be reviewed by the City Commission during one (1) public hearing.

LOCAL PLANNING AGENCY RECOMMENDATION:

The LPA recommended that the PUD is consistent with the Land Development Code and the Comprehensive Plan and recommended **APPROVAL** with modified conditions as contained herein during their December 11, 2025 meeting.

SUGGESTED MOTION(S):

APPROVAL:

I make a motion to approve LaBelle Riverside PUD.

APPROVAL WITH CONDITIONS:

I make a motion to approve LaBelle Riverside PUD, with the following condition(s):

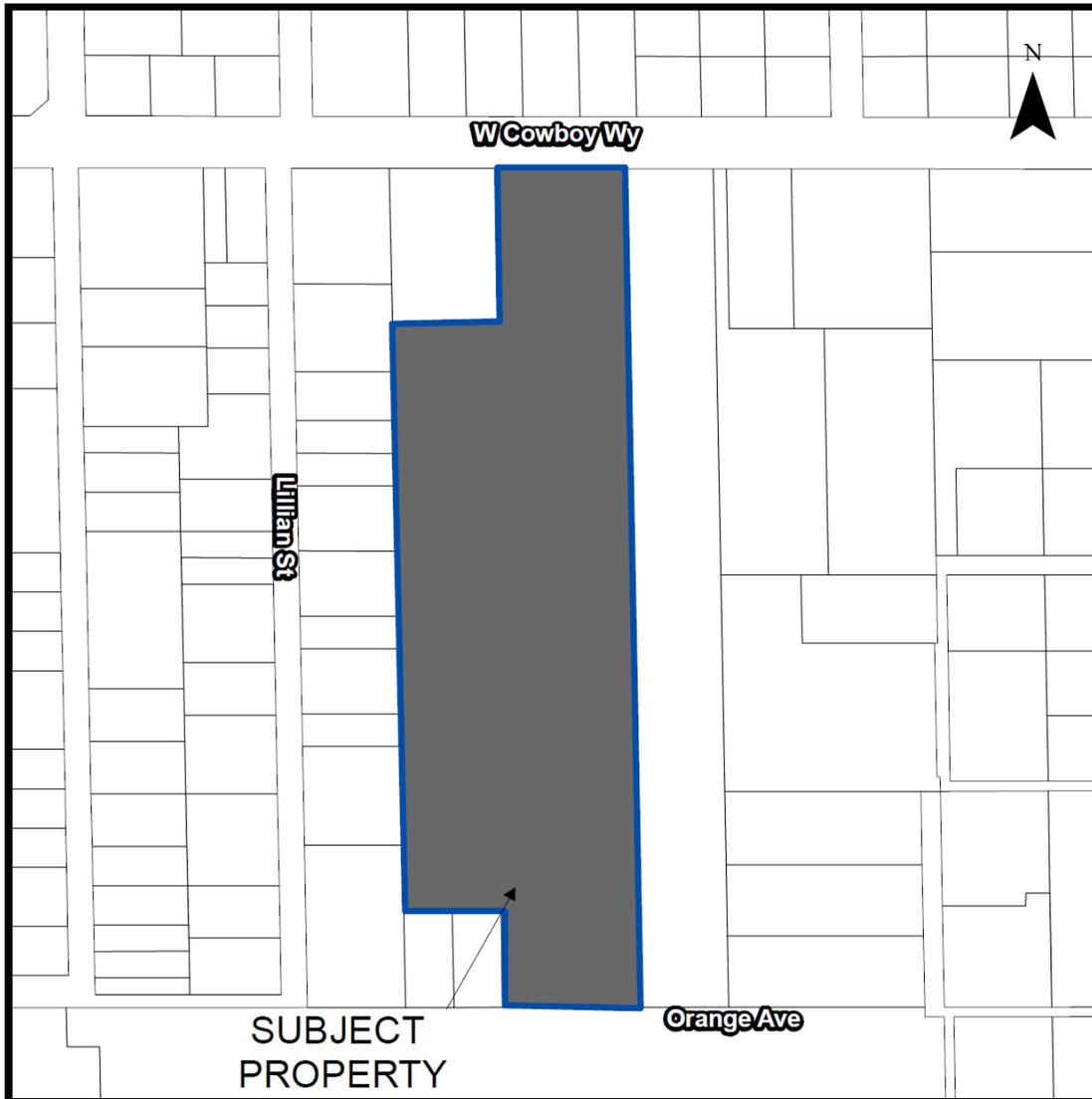
- 1) as outlined in the staff report;
- OR**
- 2) as outlined in the staff report and amended as follows;
- OR**
- 3) with the following conditions:

DENIAL:

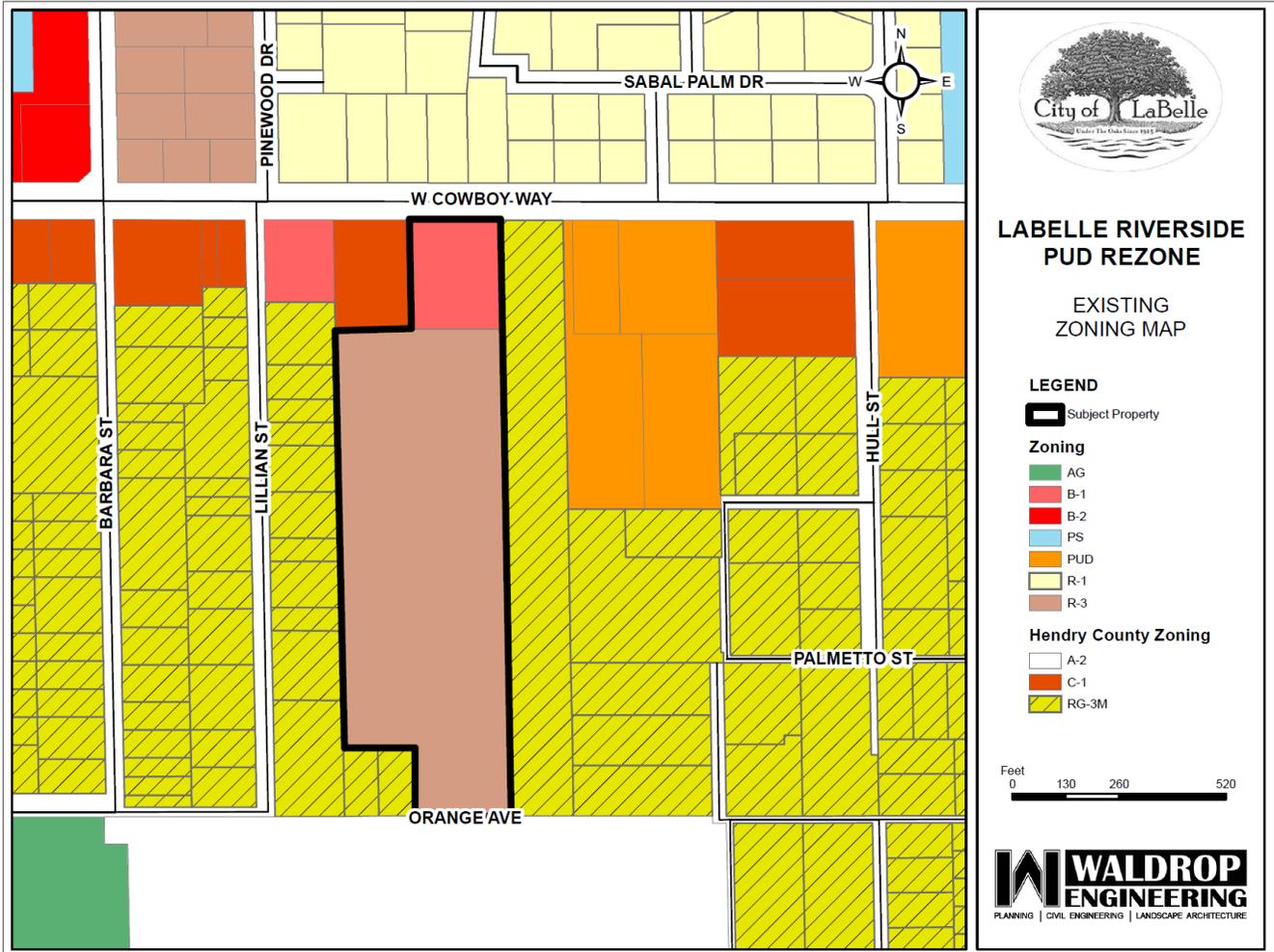
I make a motion to deny LaBelle Riverside PUD. The request does not meet the rezoning/PUD criteria:

- 1) Why?

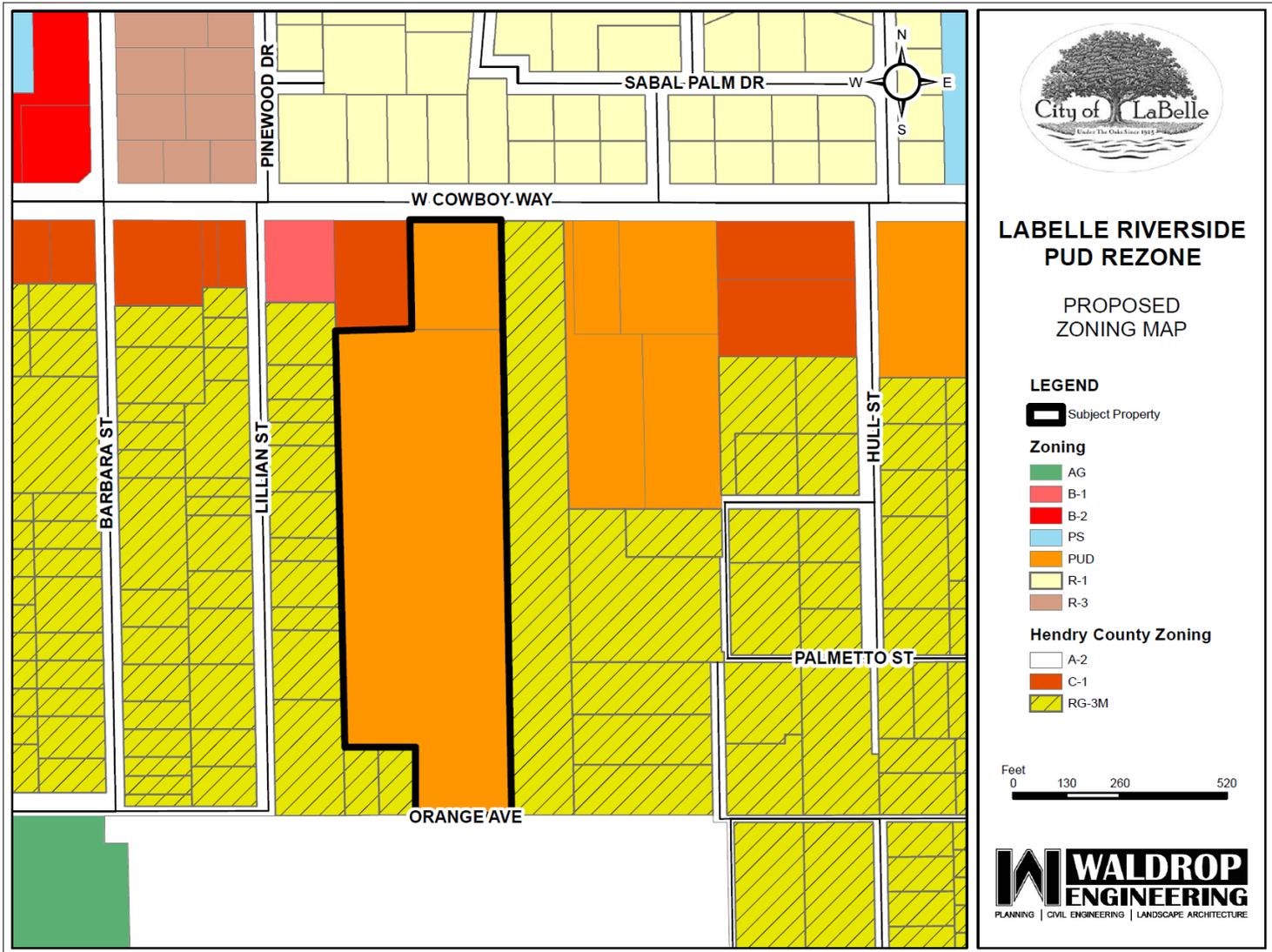
LOCATION MAP



CURRENT ZONING MAP



PROPOSED ZONING MAP



**EXHIBIT A
LEGAL DESCRIPTION**

ALL OF LOT 2, OF THE W.T .WILLIAMS SUBDIVISION, LOT 2, BEING THE WEST 1/2 OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 43 SOUTH, RANGE 29 EAST, HENDRY COUNTY, FLORIDA.

LESS

ROAD RIGHT OF WAY OVER THE NORTH 40 FEET THEREOF.

AND LESS THE EAST 135.45 FEET THEREOF, AS DESCRIBED IN OFFICIAL RECORDS BOOK 667, PAGE 1860, PUBLIC RECORDS HENDRY COUNTY, FLORIDA.

AND TOGETHER WITH:

THE EAST 1/2 OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17,
LESS THE NORTH 276 FEET THEREOF.

AND LESS THE WEST 150 FEET OF THE SOUTH 145 FEET THEREOF.

EXHIBIT B

SCHEDULE OF USES

Residential Tract

Accessory Residential Uses

Permitted accessory and storage buildings:

Children's playhouses

Patios

Gazebos

Private barbeque pits or pavilions

Noncommercial greenhouses and plant nurseries

Swimming pool

Essential services, such as but not limited to cable, fiber optic, public utilities

Fences and walls in accordance with LDC Chapter 4

Gates and gatehouses

Model Home/Unit

Management Office

Recreational amenities, private, on-site

Residential dwellings (limited to a maximum of 93 dwelling units)

Multi-family dwellings

Signs in accordance with LDC Chapter 4

Commercial Tract

Accessory uses/structures

Daycare

Health care, limited to walk-in clinic

Religious Assemblies/Church

Essential services

Indoor amusement

Animal Sales and Service, limited to pet grooming, retail sales, clinic (no boarding, no outdoor runs)

Financial institutions

Food and beverage sales/establishments, limited to restaurants, wholesale bakeries

Offices, medical and general

Personal services

Retail sales/rental establishments, no heavy equipment, lumberyards, building supplies.

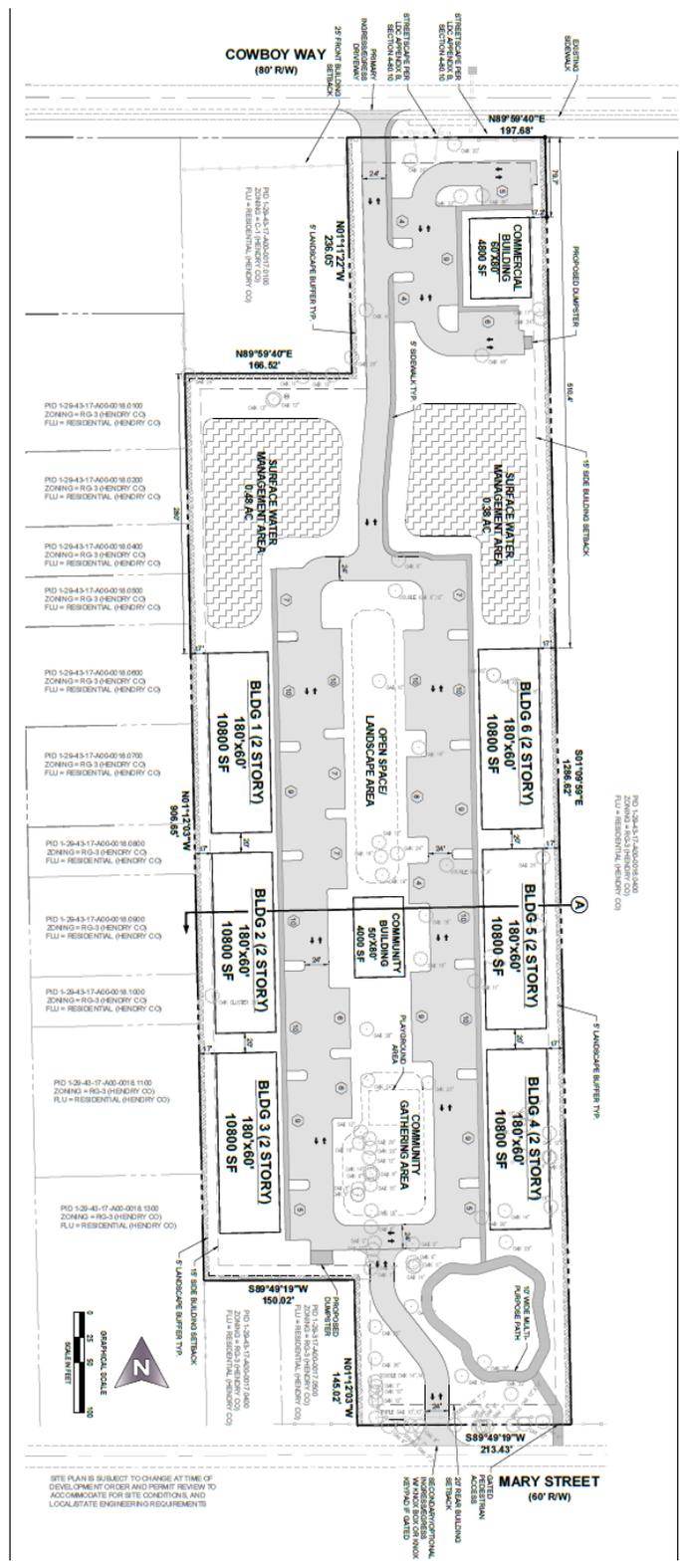
No outdoor storage

**EXHIBIT C
SITE DEVELOPMENT REGULATIONS**

	Multi-Family ¹	Commercial	Amenity/Clubhouse
Min. Lot Size	N/A	5,000 SF	N/A
Min. Depth	N/A	100'	N/A
Min. Width	N/A	50'	N/A
Maximum Height ⁽¹⁾	45' ² / ₂ stories	35' ² / ₂ stories	35' ² / ₂ stories
Maximum Lot Coverage	40%	50%	40%
Minimum Unit Size	800 SF	N/A	N/A
BUILDING SETBACKS			
Street/Front	25'	25'	25'
Side	15'	15'	15'
Rear (Principal)	20'	20'	20'
Rear (Accessory)	5'	10'	5'
Waterbody	20'	20'	20'
Minimum Building Separation	½ Building Height	15'	15'

1. Multi-family buildings must be setback from the PUD perimeter a distance equal to ½ the building height, as defined in the LDC.

EXHIBIT D MASTER CONCEPT PLAN (see also 11X17 attached)



1 CITY OF LABELLE
2 ORDINANCE 2025-08
3 LABELLE RIVERSIDE PLANNED UNIT DEVELOPMENT AMENDMENT
4

5 AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING ORDINANCE
6 2020-13 FOR THE LABELLE RIVERSIDE PLANNED UNIT DEVELOPMENT
7 LOCATED IMMEDIATELY SOUTH OF COWBOY WAY AND ¼ MILE EAST OF DR.
8 MARTIN LUTHER KING JR. BLVD; AMENDING THE CONDITIONS OF APPROVAL;
9 PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN
10 EFFECTIVE DATE.
11

12 WHEREAS, LaBelle Riverside, Inc. is the “Owner” of real property, located at 615 W.
13 Cowboy Way, City of LaBelle, Florida, further described in Exhibit “A”, attached hereto;
14

15 WHEREAS, the City of LaBelle adopted the Outlying Mixed-Use future land use category
16 on the subject property to allow for development of master-planned communities providing a full
17 range of residential and non-residential uses; and
18

19 WHEREAS, the Owner, filed an application to rezone the subject property to Planned Unit
20 Development to allow for the development of a residential community consistent with the City’s
21 intent for the Outlying Mixed-Use future land use category; and
22

23 WHEREAS, after a duly advertised public hearing held on December 11, 2025, before the
24 LaBelle Local Planning Agency “LPA”, and duly advertised public hearings on February 12, 2026,
25 and March 12, 2026 before the City of LaBelle City Commission; and,
26

27 WHEREAS, the City Commission for the City of LaBelle has determined that the requested
28 PUD rezoning is in compliance with the land use designation of “Outlying Mixed-Use” and
29 approval of the rezoning application will further the goals and objectives of the City of LaBelle
30 Comprehensive Plan; and,
31

32 WHEREAS, the subject application and plans have been reviewed by City of LaBelle
33 Planning Department in accordance with applicable regulations for compliance with all terms of
34 the administrative approval procedures; and
35

36 NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of LaBelle,
37 Florida:
38

39 Section 1. The forgoing recitals are true and correct and are incorporated herein by this
40 reference.
41

42 Section 2. The above-mentioned Planned Unit Development (PUD) is hereby amended,
43 upon a finding that this is the most appropriate use of the property and this use will promote,
44 protect and improve the health, safety, comfort, good order, appearance, convenience and general
45 welfare of the public subject to the following conditions:

- 46
- 47
- 48 1. The Rezone request applied to the property is described in Exhibit ‘A’.
- 49 2. The PUD is limited to a maximum of 93 multi-family dwelling units and 5,000 SF of
- 50 commercial uses.
- 51 3. Allowable uses shall be limited to those listed in the Schedule of Uses, attached as Exhibit
- 52 ‘B’.
- 53 4. Development Standards will conform to the Development Standards Table, attached as
- 54 Exhibit ‘C’.
- 55 5. All development must conform to the general design of the Master Concept Plan contained
- 56 in Exhibit ‘D’ and the requirements of the Land Development Code.
- 57 6. All residential buildings (including amenity structures), signage and accessory structures
- 58 within the development must have consistent architectural theme and color palette.
- 59 7. Site construction plans must demonstrate an internal sidewalk system to connect the
- 60 residential buildings to on-site amenities and recreational areas, parking, and to the external
- 61 sidewalk network.
- 62 8. Development must connect to the City’s potable water and sanitary sewer system. A
- 63 demonstration of capacity will be required at the time of development, in addition to
- 64 sufficient water pressure for a hydrant system and sprinklers within the building, if required
- 65 by the Florida Building Code and NFPA fire prevention code.
- 66 9. The developer/owner or their designee, which may include a property owners association
- 67 (POA) or homeowner’s association (HOA) must maintain common areas, parking areas,
- 68 and infrastructure within the community. If a POA/HOA is established, documents must
- 69 be provided to the City at the time of site construction plan permitting.
- 70 10. A minimum of 30% of the development, or 2.8+/- acres, of open space shall be provided
- 71 within the PUD. At minimum of 10%, or 0.93+/-acres of the site must be in the form of
- 72 useable open space as defined in the Land Development Code, and which may include both
- 73 passive and active recreational uses.
- 74 11. A minimum of 2 parking spaces per dwelling unit must be provided on the site construction
- 75 plans. This may include parking spaces in private garages and driveways for townhome
- 76 dwelling types. In addition, the amenity site must include a minimum of three (3) parking
- 77 spaces.
- 78 12. Dumpsters, recycling facilities and service areas must be setback a minimum of 25 feet
- 79 from the PUD boundary and screened via an opaque wall or fence.
- 80 13. A streetscape buffer must be provided along Cowboy Way in accordance with the LDC.
- 81 A 6-foot tall opaque fence and a 5-foot wide Type A buffer must be provided along the
- 82 eastern and western property lines.
- 83 14. This PUD authorizes the removal of seventeen (17) significant oak trees, to be replanted
- 84 on-site with Live Oak trees in accordance with LDC Section 4-80.16.5. If additional
- 85 significant oak trees must be removed to develop the project in accordance with the Master
- 86 Concept Plan, the removal of any additional trees must be mitigated in accordance with
- 87 LDC Section 4-80.16.5 without further review by the Commission.
- 88 15. The PUD Master Concept Plan will remain valid for not more than five (5) years from the
- 89 date of City Commission approval of this amendment to extend the MCP. Horizontal
- 90 construction must commence within five (5) years or the MCP will be deemed vacated.
- Upon such time a new PUD zoning approval must be filed and approved by the City

Commission. A one (1) time extension of two (2) years may be submitted to the City prior to vacation of the MCP.

Section 3. Conflict with other Ordinances. The provisions of this article shall supersede any provisions of existing ordinances in conflict herewith to the extent of said conflict.

Section 4. Severability. In the event that any portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 5. Effective Date. This Ordinance shall become effective immediately upon its adoption.

PASSED AND ADOPTED in open session this ____ day _____, 2026.

THE CITY OF LABELLE, FLORIDA

By: _____
Julie C. Wilkins, Mayor

Attest: _____
Tijauna Warner, Deputy City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____
Derek Rooney, City Attorney

	Vote:	AYE	NAY
127			
128			
129	Mayor Wilkins	_____	_____
130	Commissioner Vargas	_____	_____
131	Commissioner Ratica	_____	_____
132	Commissioner Holland	_____	_____
133	Commissioner Spratt	_____	_____

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EXHIBIT A
LEGAL DESCRIPTION

ALL OF LOT 2, OF THE W.T .WILLIAMS SUBDIVISION, LOT 2, BEING THE WEST 1/2 OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 43 SOUTH, RANGE 29 EAST, HENDRY COUNTY, FLORIDA.

LESS

ROAD RIGHT OF WAY OVER THE NORTH 40 FEET THEREOF.
AND LESS THE EAST 135.45 FEET THEREOF, AS DESCRIBED IN OFFICIAL RECORDS BOOK 667, PAGE 1860, PUBLIC RECORDS HENDRY COUNTY, FLORIDA.

AND TOGETHER WITH:

THE EAST 1/2 OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17,
LESS THE NORTH 276 FEET THEREOF.
AND LESS THE WEST 150 FEET OF THE SOUTH 145 FEET THEREOF.

EXHIBIT B
SCHEDULE OF USES

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Residential Tract

Accessory Residential Uses
Permitted accessory and storage buildings:
 Children's playhouses
 Patios
 Gazebos
 Private barbeque pits or pavilions
 Noncommercial greenhouses and plant nurseries
 Swimming pool
Essential services, such as but not limited to cable, fiber optic, public utilities
Fences and walls in accordance with LDC Chapter 4
Gates and gatehouses
Model Home/Unit
Management Office
Recreational amenities, private, on-site
Residential dwellings (limited to a maximum of 93 dwelling units)
 Multi-family dwellings
Signs in accordance with LDC Chapter 4

Commercial Tract

Accessory uses/structures
Daycare
Health care, limited to walk-in clinic
Religious Assemblies/Church
Essential services
Indoor amusement
Animal Sales and Service, limited to pet grooming, retail sales, clinic (no boarding, no outdoor runs)
Financial institutions
Food and beverage sales/establishments, limited to restaurants, wholesale bakeries
Offices, medical and general
Personal services
Retail sales/rental establishments, no heavy equipment, lumberyards, building supplies. No outdoor storage

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EXHIBIT C
SITE DEVELOPMENT REGULATIONS

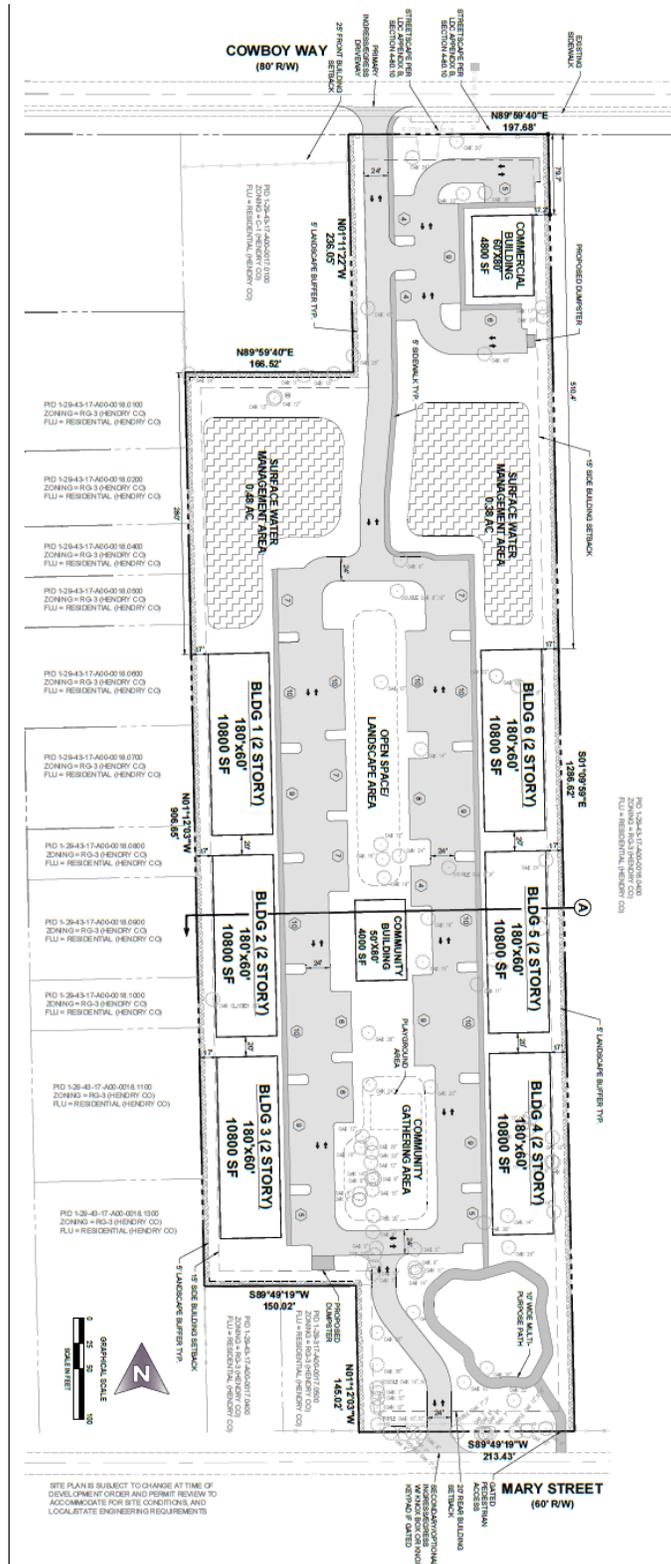
	Multi-Family ¹	Commercial	Amenity/Clubhouse
Min. Lot Size	N/A	5,000 SF	N/A
Min. Depth	N/A	100'	N/A
Min. Width	N/A	50'	N/A
Maximum Height ⁽¹⁾	45 ¹ / ₂ stories	35 ¹ / ₂ stories	35 ¹ / ₂ stories
Maximum Lot Coverage	40%	50%	40%
Minimum Unit Size	800 SF	N/A	N/A
BUILDING SETBACKS			
Street/Front	25'	25'	25'
Side	15'	15'	15'
Rear (Principal)	20'	20'	20'
Rear (Accessory)	5'	10'	5'
Waterbody	20'	20'	20'
Minimum Building Separation	¹ / ₂ Building Height	15'	15'

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1. Multi-family buildings must be setback from the PUD perimeter a distance equal to ¹/₂ the building height, as defined in the LDC.

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EXHIBIT D MASTER CONCEPT PLAN



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- 1. Submittal review Date _____ Section 8, Item A.
- 2. Legal Department: Date _____ Atty _____
- 3. Planner Review Date _____ Plnr _____
- 4. Legal Department: Date _____ Atty _____

Date Received _____

File Number: PUD-20 20 - 13

Date Adopted:

Petitioner: HENRY A FISH - ARROWHEAD INVESTMENTS OF SWFL LLC
 Address: 321 WEST MAIN ST. , IMMOKALEE FL 34142
 Telephone #: (239) 657-2579 Fax #: _____ E-mail: _____

Agent for Petitioner: Justin Ebrite - Patriot Engineering Co.
 Address: 780 5TH AVE S. , SUITE 200 , NAPLES , FL 34117
 Telephone #: 239-308-0099 Fax #: _____ E-mail: ADMIN@PatriotEngCo.com

Owner of Property: HENRY A FISH - ARROWHEAD INVESTMENTS OF SWFL LLC
 Address: 321 WEST MAIN ST. , IMMOKALEE FL 34142
 Telephone #: (239) 657-2579 Fax #: _____ E-mail: _____

Address/Location of Subject Property 615 W COWBOY WAY , LABELLE, FL 33935

Folio Number of Subject Property 2 29 43 17 A00 0016.0000

Legal Description of Property Involved CITY OF LABELLE BEG SE COR OF W 1/2 OF E 1/2 OF NE 1/4 OF NW 1/4-S 89DEG 49M 19S W ALG S LINE 135.45 FT TO POB-CONT 213.50 FT-N 01DEG 15M 05S W 145 FT-S 89DEG 49M 19S W 150 FT-N 01DEG 15M 05S W 906.76 FT- N 89DEG 59M 40S E 167.16 FT-N 01DEG 13M 53S W 276.

Lot Size 9.353 Existing Use of Property 1000 VACANT COMMERCIAL 6730 APIARY/BEE YARD

Existing Structures on Property (Include Height and Square Feet) _____
POLE BARN 704SF , GARAGE 352 SF

Existing Zoning PUD Requested Zoning PUD

Existing Comprehensive Plan Designation OUTLYING MIXED USE

Reason for request (proposed use) REQUESTING EXTENSION OF 3 YEARS OF PUD



January 7, 2026

**RE: PUD Master Concept Plan Addendum Letter
Labelle Riverside PUD
615 West Cowboy Way
LaBelle, FL 33935**

To whom it may concern,

This letter is to outline changes made to above referenced PUD Master Concept Plan. We believe the revised PUD Plan included with this letter will address your concerns for this project.

Listed below is a summary of changes to the PUD Master Concept Plan.

- **Parking Calculation is revised from 1.5 to 2 Spaces Required per Unit.**
- **Additional Parking Spaces are added to accommodate updated parking requirements. The spaces added to be consistent and uniform with previously proposed parking.**
- **Playground Area is added near the Community Gathering Area.**
- **Secondary/Option Access Drive is added to the South of Property Roadway.**
 - **If a Gate is proposed, Knox Box or Keypad is to be provided for Emergency Access.**
 - **Drive is positioned to best accommodate existing Oak Trees.**
 - **Multi-Use Path is revised to best accommodate Newly Proposed Drive Aisle.**

Warm regards,

A handwritten signature in black ink, appearing to read "Justin Ebrite".

Justin Ebrite
President & Project Manager
Patriot Engineering Company



CITY OF LABELLE, FLORIDA

**Planning Staff Report
990 Tropicana Street
Variance**

TYPE OF CASE: Variance

STAFF REVIEWER: Patty Kulak

DATE: February 12, 2026

APPLICANT: Nathan J. Powers

AGENT: Kenneth E. Kinney Jr.

REQUEST: Variance from side and rear yard setbacks applicable to accessory structures in the Multifamily Residential (R-3) zoning district, to allow a minimum side yard setback of 5 feet on the north property line of the subject property located at 990 Tropicana Street, whereas the Land Development Code requires a 7.5-foot side setback for accessory structures pursuant to Section 4-76(a).

LOCATION: 990 Tropicana Street

PROPERTY SIZE: 0.213+/-acres

FUTURE LAND USE DESIGNATION, CURRENT ZONING AND LAND USE:

Existing Future Land Use Designation: Residential
Existing Zoning: Multifamily Residential – R-3
Land Use: Single-Family Residence

SURROUNDING LAND USE:

North: FLU – Residential
Zoning – Multifamily Residential (R-3)
Land Use – Single Family Residence

South: FLU – Multi-Use (Hendry County)
Zoning – Hendry County Agriculture (A-2)
Land Use – Vacant

East: FLU – Residential

Zoning – Single-Family Residential (R-1)
Land Use – Residential (Mobile Home)

West: FLU – Residential
Zoning – Medium Density Residential (R-3)
Land Use – Residential (Mobile Home)

STAFF NARRATIVE:

The property owners of 990 Tropicana Street are requesting a variance from the Multi-Family Residential (R-3) zoning district development standards in Section 4-76(a) of the City of LaBelle Land Development Code to allow a reduced side yard setback for an accessory shed structure. The request seeks approval of a 5-foot side setback, where a minimum of 7.5 feet is required.

The subject property contains an existing mobile home and is developed with standard residential improvements. The lot configuration and placement of the septic areas limit the available area within the rear yard that can accommodate an accessory structure while meeting all required setbacks.

As depicted on the submitted site plan, the proposed accessory shed is proposed in the north portion of the property and positioned to minimize impacts to existing on-site improvements, trees and future development on adjacent properties. The accessory shed is proposed to be positioned as a 5-foot side yard setback, where a minimum of 7.5 feet is required,

Accessory structures are permitted within the R-3 zoning district, subject to compliance with applicable development standards. The requested variance represents the minimum requirements from the code requirements and is intended to allow reasonable use of the property given the existing site constraints. The mobile home on the abutting lot is positioned on the western side of the property, thereby reducing potential impacts to the neighboring property.

The variance request was reviewed by applicable City Departments as part of the review process. No additional conditions or technical concerns were identified through staff review. Approval of the variance would not be injurious to the surrounding neighborhood nor detrimental to the public welfare.

If approved, the applicant will be required to obtain all applicable building permits from the City of LaBelle Building Department prior to construction.

VARIANCE REVIEW CRITERIA:

The following is Staff’s analysis of the Applicant’s request in relation to LDC Section 3-22, which sets forth the review criteria for special exceptions.

- a. Unique or peculiar conditions or circumstances exist, which relate to the location, size, and characteristics of the land or structure involved, and are not generally applicable to other lands or structures in the same district.

The unique condition is the limited buildable lot depth due to septic requirements in the rear yard. This restricts the area available for accessory structures on the property.

- b. The strict and literal enforcement of the zoning section of the land development regulations would create an undue hardship as distinguished from a mere inconvenience on the property owners. Physical handicaps or disability of the applicant and other considerations may be considered where relevant to the request.

Strict application of the required setbacks would create a hardship based on existing site conditions. The presence of the septic system limits practical use of the rear yard for placement of an accessory structure, and the remaining sides of the property front public streets where locating a shed would be visually intrusive and inconsistent with neighborhood character.

- c. The granting of a variance would not be injurious to or incompatible with contiguous uses, the surrounding neighborhood, or otherwise detrimental to the public welfare.

Based on the proposed conditions, the variance will not be injurious to the surrounding neighborhood. The applicant provided a site drawing showing the location of the shed to be within property lines. The proposed placement will not negatively affect public health, safety, or welfare.

- d. The condition giving rise to the requested variance has not been created by any person presently having an interest in the property and the conditions cannot reasonably be corrected or avoided by the applicant.

The condition giving rise to the requested variance is due to the existing placement of the primary structure, which was not created by the current property owner. Should the Commission approve the variance request, the applicant must then obtain applicable permits for the accessory structure and adhere to any additional requirements during the building process to ensure compliance with all local and state regulations.

- e. The requested variance is the minimum modification of the regulation at issue that will afford relief.

The drawing supplied by the Applicant demonstrates that the proposed variance represents the minimum relief needed to allow the placement of the accessory structure on the property in their proposed location.

- f. The variance granted will not confer on the applicant any special privilege that is denied by these regulations to other lands, structures, or required improvements under similar conditions.

Due to the existing configuration of the subject property, the requested variance will not confer special privileges. Property owners are able to apply for similar relief from setbacks and development regulations based on the merits of their specific request.

STAFF RECOMMENDATION

Staff recommends APPROVAL subject to the following conditions:

1. The variance request applies to the subject property described in Exhibit "A".
2. The minimum setbacks for the proposed accessory structure shall be approximately 5 feet measured to the northern side property line, whereas the remaining setbacks exceed the minimum requirements of the Land Development Code as demonstrated on the approved site plan.
3. All other standards for residential accessory structures on the property must comply with LDC Section 4-60 and 4-76(a).
4. The accessory structure must be enclosed on three (3) sides. Decorative lattice may be used to meet this requirement.
5. A building permit must be obtained prior to construction.

SUGGESTED MOTION(S):

APPROVAL:

I make a motion to approve the 990 Tropicana Street Variance.

APPROVAL WITH CONDITIONS:

I make a motion to approve the 990 Tropicana Street Variance, with the following condition(s):

1) as outlined in the staff report;

OR

2) as outlined in the staff report and amended as follows;

OR

3) with the following conditions:

DENIAL:

I make a motion to deny 990 Tropicana Street Variance. The request does not meet the Variance criteria:

EXHIBIT A

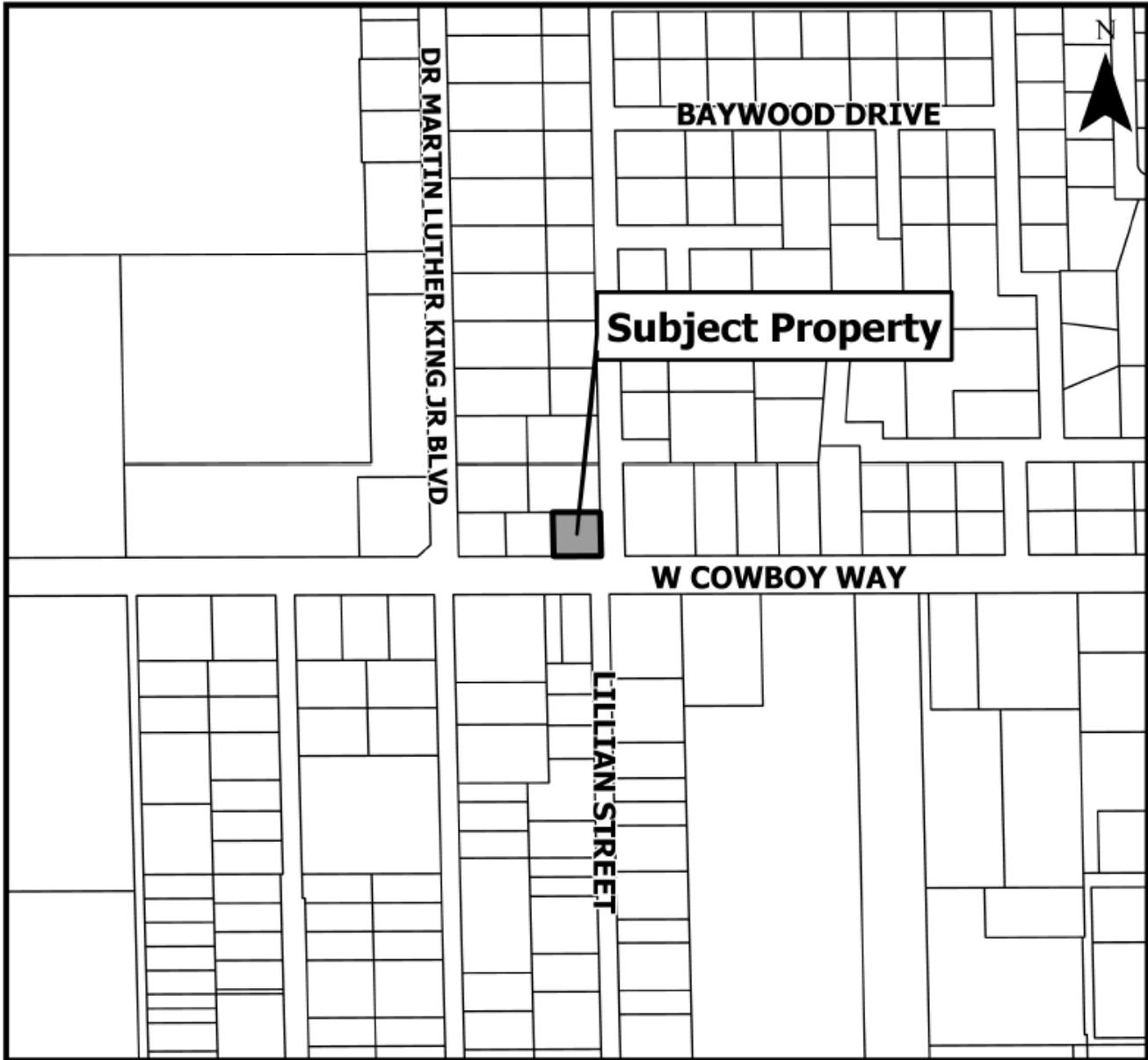
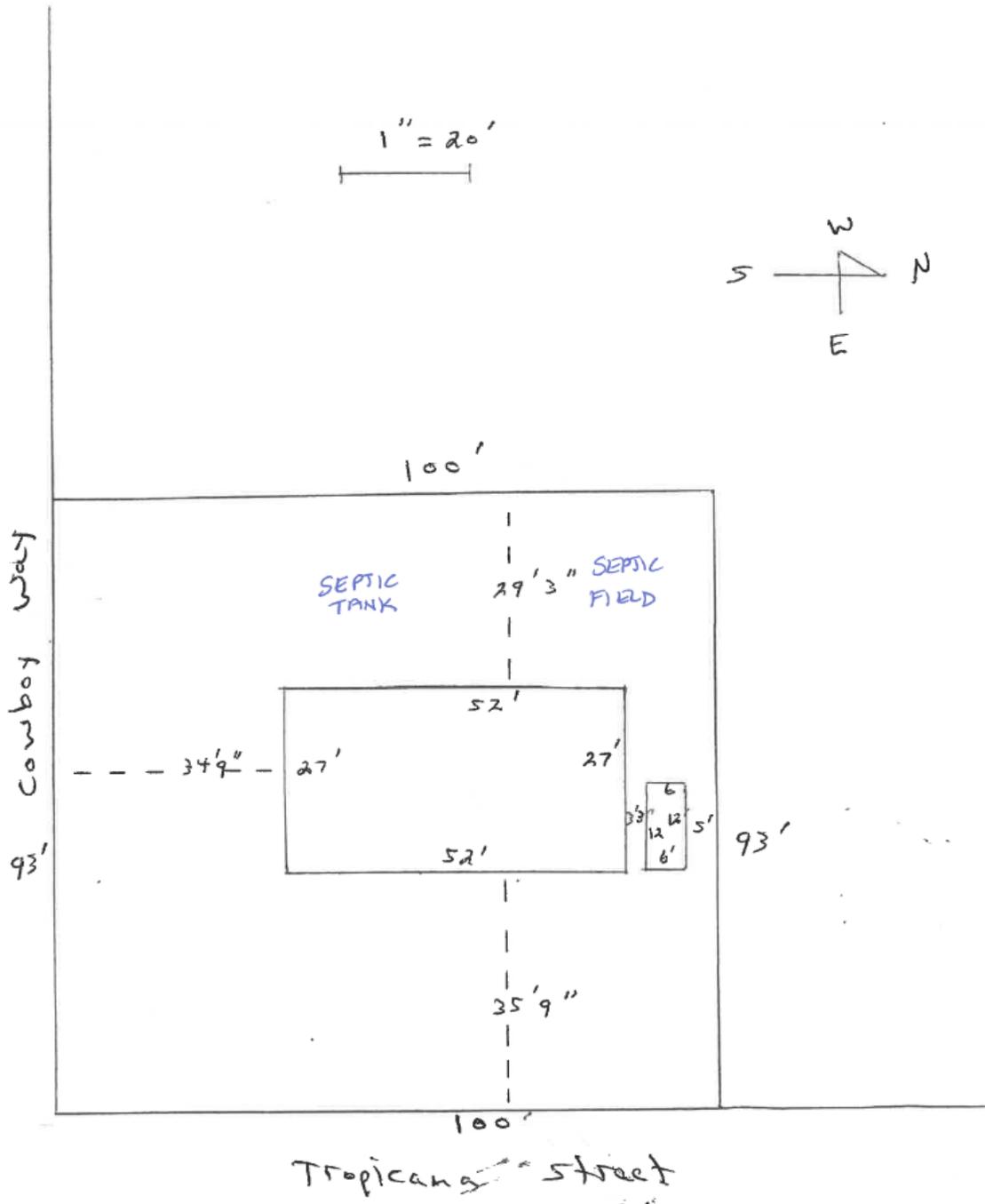


EXHIBIT B SITE PLAN



CITY OF LABELLE
RESOLUTION 2026-04
990 TROPICANA STREET VARIANCE

A RESOLUTION OF THE CITY OF LABELLE, FLORIDA, ALLOWING FOR A VARIANCE FROM THE RESIDENTIAL NEIGHBORHOOD URBAN (RNU) ZONING DISTRICT DEVELOPMENT REGULATIONS ESTABLISHED IN THE LAND DEVELOPMENT CODE SECTION 4-76(A) THAT REQUIRES AN ACCESSORY SIDE SETBACK OF 7.5 FEET; TO ALLOW FOR A 5-FOOT SIDE YARD SETBACK FOR AN ACCESSORY STRUCTURE AT THE SUBJECT PROPERTY LOCATED AT 990 TROPICANA STREET; IN THE CITY OF LABELLE, FLORIDA; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Nathan J. Powers C/O Kenneth E. Kinney Jr., the Applicant, has filed a Variance application to allow reduced side yard accessory setbacks on the subject property located at 990 Tropicana Street; and,

WHEREAS, a duly advertised public hearing was held on February 12, 2026 before the City of LaBelle City Commission; and,

WHEREAS, the City Commission for the City of LaBelle has determined that the requested variance will further the goals and objectives of the City of LaBelle Comprehensive Plan and Land Development Code; and,

WHEREAS, the City Commission for the City of LaBelle has determined that the requested Variance meet the criteria for approval in accordance with Chapter 4, of the Land Development Code; and,

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of LaBelle, Florida:

Section 1. The forgoing recitals are true and correct and are incorporated herein by this reference.

Section 2. The above-mentioned request is hereby granted to allow for a variance for reduced rear and side yard setbacks for an accessory structure, located within the rear yard of the subject property at 990 Tropicana Street, City of LaBelle, Florida, subject to the following conditions:

1. The variance request applies to the subject property described in Exhibit “A”.
2. The minimum setbacks for the proposed accessory structure shall be approximately 5 feet measured to the northern side property line, whereas the remaining setbacks exceed the minimum requirements of the Land Development Code as demonstrated on the approved site plan.
3. All other standards for residential accessory structures on the property must comply

- 45 with LDC Section 4-60 and 4-76(a).
- 46 4. The accessory structure must be enclosed on three (3) sides. Decorative lattice may
- 47 be used to meet this requirement.
- 48 5. A building permit must be obtained prior to construction.
- 49

50 **Section 3. Severability.** In the event that any portion of this resolution is for any reason held
51 invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a
52 separate, distinct and independent provision, and such holding shall not affect the validity of the
53 remaining portions of this resolution.

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55 **Section 4. Effective Date.** This Resolution shall become effective immediately upon its
56 adoption.
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PASSED AND ADOPTED in regular session this _____ day of _____,
2026.

THE CITY OF LABELLE, FLORIDA

By: _____
Julie C. Wilkins, Mayor

Attest: _____
Tijauna Warner, Commissioner-Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

By: _____
Derek Rooney, City Attorney

Vote:	AYE	NAY
Mayor Wilkins	_____	_____
Commissioner Vargas	_____	_____
Commissioner Spratt	_____	_____
Commissioner Holland	_____	_____
Commissioner Ratica	_____	_____

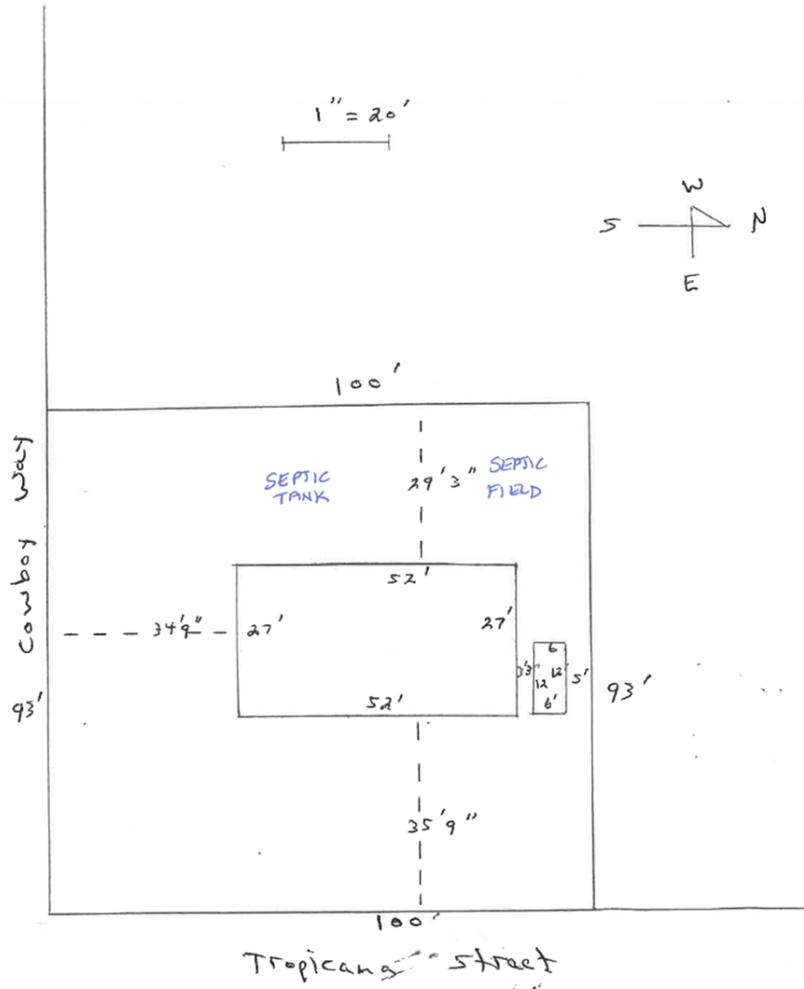
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**EXHIBIT A
LEGAL DESCRIPTION**

LOT 24, BLOCK 2, ENGLEWOOD TERRACE, ACCORDING TO THE PLAT RECORDED,
IN PLAT 3, PAGE 40, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA.

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EXHIBIT B



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VARIANCE PETITION
CITY OF LABELLE, FLORIDA

Date Received 1/6/2026
File Number: VAR 202 -

Petitioner (applicant name): Nathan J. Powers
Petitioner Address: P.O. Box 2711, LaBelle, Florida 33975
Telephone#: (863) 234-8915 E-mail: palmetto stamper@yahoo.com
tonyah1227@gmail.com

Agent for Petitioner (if applicable): Kenneth E. Winney Jr.
Address of Agent: 891 C.R. 78, LaBelle, Florida 33995
Telephone#: (863) 675-8888 E-mail: K.crupper@yahoo.com
(863) 801-4132 cell#

Address/Location of Subject Property: 990 Topicana street, LaBelle

Legal Description of Property Involved:
Lot 24, Block 2, Englewood Terrace, according
to the plat recorded in Plat Book 3, Page 48,
Public Record of Hendry County, Florida
Parcel ID# 2-29-43-02-260-0002-024.0

Existing Zoning: R3 Total Acreage/Square Footage of Subject Property: 9,300 sq ft

Current Use of Land: Manufactured Home Residence

Appeal from Section 4.60F of the Comprehensive Development Code,
which requires 15' side setback

Findings required. Before making a finding on an application for a variance, the City Commission shall first determine that the proposed variation in the application of this code:

- (a) Unique or peculiar conditions or circumstances exist, which relate to the location, size, and characteristics of the land or structure involved, and are not generally applicable to other lands or structures in the same district. Yes
- (b) The strict and literal enforcement of the zoning section of the land development regulations would create an undue hardship as distinguished from a mere inconvenience on the property owners. Physical handicaps or disabilities of the applicant and other considerations may be considered where relevant to the request. Yes
- (c) The granting of a variance would not be injurious to or incompatible with contiguous uses, the surrounding neighborhood, or otherwise detrimental to the public welfare. No
- (d) The condition giving rise to the requested variance has not been created by any person presently having an interest in the property and the conditions cannot reasonably be corrected or avoided by the applicant. Yes
- (e) The requested variance is the minimum modification of the regulation at issue that will afford relief. Yes
- (f) The variance granted will not confer on the applicant any special privilege that is denied by these regulations to other lands, structures, or required improvements under similar conditions. Yes, this is correct.

Summary of Facts

We are requesting that a shed be placed 5' from the North property line. This will allow the placement of a 6x12 shed leaving 3'3" between the home and shed for repairs. Due to the septic requirements and other Road side setback requirements this is the only option for the placement of a shed.

Has a public hearing been held on this property in the past twenty-four months? No

If yes, application number or resolution number: —

Is this hearing being requested as a result of a violation notice? No

If yes, to whom was the violation written? —

NOTE: IF THE PETITIONER WISHES TO BE REPRESENTED BY AN AGENT, THE POWER OF ATTORNEY ON PAGE 4 MUST BE PROPERLY EXECUTED.

IF DRAWINGS PREPARED BY AN ARCHITECTURAL, ENGINEERING OR OTHER FIRM ARE SUBMITTED, THE FIRM MUST EXECUTE THE PERMISSION TO REPRODUCE ON PAGE 5.

ATTEST:

I/We, Nathan J. Powers, being first duly sworn, depose and say that we/I are/am the owners of the property described herein and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, all sketches, data, and other supplementary matter attached to and made a part of this application, are true and correct to the best of our knowledge and belief. We/I understand that the information requested on this application must be complete and accurate and that the content of this form, whether computer-generated or City printed shall not be altered.

As property owner I/We, Nathan J. Powers further authorize Kenneth E. Kinney Jr to act as our/my representative in any matters regarding this Petition.

[Handwritten Signature]
(Signature of Property Owner)

(Signature of Property Owner)

Nathan J Powers
(Typed or Printed Name of Owner)

(Typed or Printed Name of Owner)

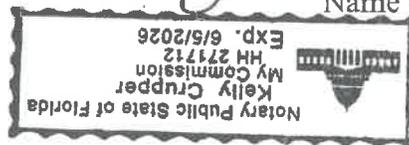
State of Florida

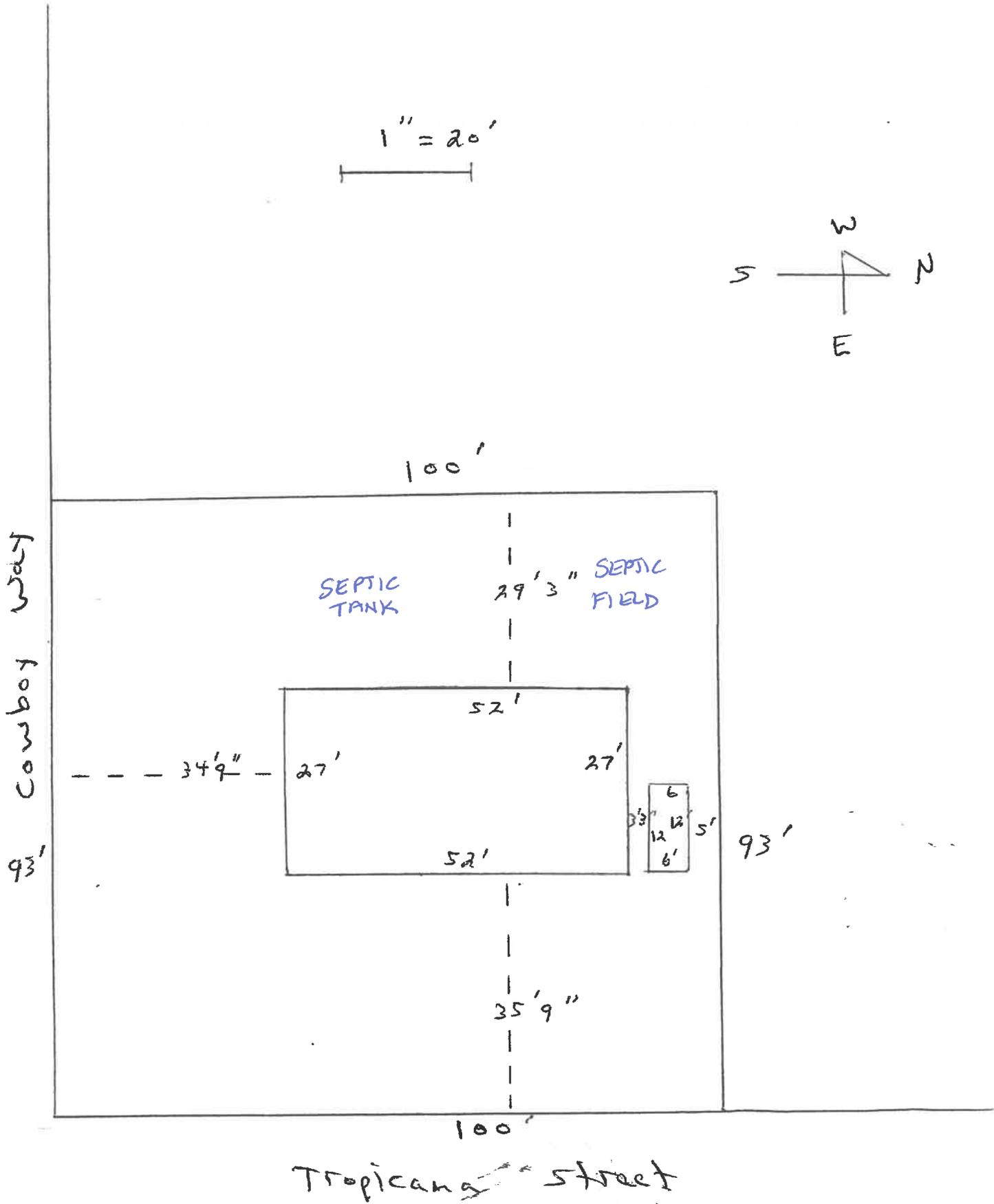
County of Hendry

The foregoing instrument was acknowledged before me this 6th day of January, 2020,
By Nathan Powers who is personally known to me or has produced as identification.

[Handwritten Signature]
(Signature of Notary Public – State of Florida)

Kelly Crupper
(Print, Type, or Stamp Commissioned Name of Notary Public)







CITY OF LABELLE, FLORIDA

**Planning Staff Report
For
Derek’s Detailing Special Exception**

TYPE OF CASE: Special Exception (Extension)

STAFF REVIEWER: Alexis Crespo, AICP

DATE: February 12, 2026

APPLICANT: Derek’s Detailing & Pressure Cleaning, LLC

AGENT: Karla Timms

REQUEST: Allow for an extension of the Special Exception allowing for development of a 3,000 SF car wash facility within the State Road 80 Overlay District on a 0.33-acre property located at 240 & 250 Selma Daniels Way

LOCATION: 240 & 250 Selma Daniels Way on the southeast intersection of State Road 80, and Miller Ave (See Location Map)

PROPERTY SIZE: 0.33+/-acres

FUTURE LAND USE DESIGNATION, CURRENT ZONING AND LAND USE:

Existing Future Land Use Designation: Outlying Mixed Use
 Existing Zoning: Business General (B-2) within the SR 80 Overlay
 Land Use: Commercial (Vacant)

SURROUNDING LAND USE:

North: FLU - Outlying Mixed Use
 Zoning – Business General (B-2)
 Land Use – Right-of-Way (Miller Avenue); Vacant, Billboard

South: FLU – Residential
 Zoning – Business General (B-2)
 Land Use – Church

East: FLU – Residential
 Zoning – DAV PUD
 Land Use – Right-of-Way (Selma Daniels Way); Flea Market Parking

West: FLU – Outlying Mixed Use
Zoning – Business General (B-2)
Land Use – Right-of-Way (SR 80); Vacant Commercial

STAFF NARRATIVE:

Derek’s Detailing & Pressure Cleaning, LLC (“Applicant”) is requesting approval to extend the Special Exception permit to allow for a car wash on the 0.33+/-acre subject property generally located on the southeast intersection of State Road 80, and Miller Avenue. The development will consist of a 3,000 SF car wash with 3-bays.

The subject property is within the Outlying Mixed Use future land use designation and is zoned Business general (B-2). The property is currently vacant and undeveloped.

To the north of the subject property is Miller Avenue, two-lane local roadway. Further north of Miller Avenue are several vacant commercial lots. To the south of the property is a church and further south is vacant commercial. To the east is Selma Daniels Avenue, two lane local roadway. Further east of Selma Daniels Avenue are six (6) parcels within the DAV PUD reserved for Flea Market parking. To the west of the site is State Road 80 (SR 80), a four-lane arterial roadway. Further west of SR 80 is a mobile home, shed, and trailer sales business.

The request was approved in March 2024 and has an expiration date of March 14, 2026. The Applicant is requesting an extension to this approval to afford additional time to obtain a site construction permit and building permit.

SPECIAL EXCEPTION REQUEST:

The Applicant’s Site Plan is attached as Exhibit A. The plan depicts a 3,000 SF building containing three (3) car wash bays and office. The principal building is located along the southern property boundary and fully enclosed along the southern property boundary adjacent to an existing church. The car wash bays face Miller Avenue, however, are separated from the Miller Avenue right-of-way by vehicular accessway and parking.

Two (2) points of access are provided from Selma Daniels Way to facilitate vehicle ingress/egress and provide access to dumpster facilities.

There is an existing sidewalk located along SR 80. And no pedestrian connection is being proposed internally or along Miller Avenue or Selma Daniels Avenue.

The Applicant is proposing 7 (seven) on-site parking spaces exceeding the minimum four (4) on-site parking spaces required by the LDC (including 1 handicap space). Six (6) parking spaces are located along the Miller Avenue frontage with the remaining handicap space located adjacent to the building along SR 80.

The site plan demonstrates the following buffers:

- State Road 80 Buffer/Western Buffer: Streetscape buffer containing 1 tree per 30 linear feet; Required 15-foot wide buffer containing six (6) large trees per 100 linear feet, a double hedgerow, and 2-foot tall berm;

- Eastern Buffer: Streetscape buffer containing 1 tree per 40 linear feet provided;
- Northern Buffer (Miller Avenue): Streetscape buffer containing 1 tree per 30 linear feet; and
- Southern Buffer: No buffer provided/No buffer required.

COMPREHENSIVE PLAN COMPLIANCE:

The Subject Property's underlying future land use designation is "Outlying Mixed Use" per City of LaBelle Future Land Use Map.

Policy 1.3.2 of the City's Comprehensive Plan states *"The Allowable uses in this land use category include residential, office, commercial, artist studios, personal services, transient accommodations, institutional, and recreation and parks. Uses will be integral to, oriented within and function as part of a mixed-use project. Free-standing, unrelated out-parcel type uses or strip commercial development is strongly discouraged."*

Additionally, Policy 1.3.2 states *"Project design should include uninterrupted pedestrian connections, internal roadway systems to reduce impacts to offsite areas, open space and recreation facilities, public/common spaces in relationship to key project uses, bicycle facilities, and an overall pedestrian friendly environment. Vehicular, pedestrian, park and open space connectivity within and with adjacent developments is considered essential in the effort of avoiding development of isolated areas of the City. Such integration will be designed so as to increase the interaction between uses, to reduce the need for automobile use within the development, as well as the reduction of off-site automobile trips attributable to the development, and to encourage the provision of shared infrastructure. Parking areas should be located internal to the development, rather than along the street frontages. Site design will discourage increased traffic through established residential neighborhoods"*.

The Outlying Mixed Use future land use category allows commercial development and is one of the few categories that is appropriate for the proposed car wash, other than Commercial. Therefore, the proposed Special Exception is generally consistent with the City's Comprehensive Plan.

SPECIAL EXCEPTION REVIEW CRITERIA:

The following is Staff's analysis of the Applicant's request in relation to LDC Section 4-41(5), which sets forth the review criteria for special exceptions.

- a. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;***

The site has ingress/egress from Selma Daniels Way. The project will require review and approval of a site construction plan permit, which will be reviewed by the City, its civil engineering/transportation consultant (AIM Engineering).

- b. Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the district;***

The majority of parking is located along the Miller Avenue frontage. Staff is recommending an enhanced streetscape perimeter buffer to screen the parking area along the right-of-way.

The dumpster is located along the Selma Daniels Way right-of-way where screening would not be possible. Staff is recommending that the dumpster enclosures be sited to be accessed internally from the site and away from/not visible from the SR 80 right-of-way.

c. Refuse and service areas, with particular reference to the items preceding;

Refuse service is provided by City of LaBelle waste services. The dumpster will be fully enclosed by a masonry wall that is complimentary to the principal structure. The dumpster facilities have been located along the Selma Daniels Way street frontage away from the street frontage the SR 80 frontage/viewshed.

To address any compatibility or safety concerns with garbage trucks accessing dumpster facilities from any rights-of-way the Staff conditions for access to dumpster facilities to be limited to the interior of the site and prohibited along right-of-ways. Furthermore, the Staff conditions dumpster facilities to be fully enclosed by a masonry wall that is complimentary to the principal structure, and located away from/or hidden from view of the SR 80 right-of-way.

d. Utilities, with reference to locations, availability, and compatibility;

The site is served by City of LaBelle for both potable water and sanitary sewer services.

e. Screening and buffering with reference to type, dimensions, and character;

As outlined above, the Staff is recommending streetscape buffers along all adjacent public rights-of-way, including an enhanced buffer along SR 80 to protect view sheds of the proposed car wash bays.

f. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

Signs must adhere to the general City of Labelle LDC signage requirements as well as the SR 80 Overlay supplemental LDC signage requirements.

g. Required yards and other open space;

The site plan demonstrates setbacks and open space in meet the required standards for the B-2 zoning district. The B-2 zoning district requires 30% open space, whereas the Applicant has proposed 30.5 % open space.

h. General compatibility with adjacent properties and other property in the district.

The site abuts SR 80 the east. Auto-oriented commercial uses such as car washes are generally appropriate on this type of transportation corridor. Surrounding properties within the City limits are in the B-2 zoning district and also intended for general commercial uses. There are no abutting residential properties that would be negatively impacted by the proposed use. The existing church to the south is protected from noise, glare, and pollution by the enclosed car wash building orientation.

No architectural elevations have been provided for the development to assure consistency with Old Florida architectural vernacular preferred by the City.

The Staff conditions for enhanced buffering, prohibition of auto repair or maintenance and repair service, and restrictions on piped music and pedestrian connectivity will uphold the intent for an attractive and cohesive land use pattern along SR 80.

CONCLUSION

Staff recommends approval of the extension request, subject to the conditions of approval in the original Special Exception (Resolution 2024-03).

STAFF RECOMMENDATION

1. The special exception is limited to a 3,000 SF car wash, office and three (3) car wash bays.
2. Auto repair or maintenance and repair service shall be prohibited.
3. Development must be in accordance with the Special Exception Site Plan, Exhibit A.
4. Prior to site construction plan submittal, the developer shall obtain building elevation approval by the City Commission principal structures/buildings to be developed. Any substantive changes to building elevations from what was approved by the City Commission must be reviewed and approved by the City Commission.
5. A consistent Old Florida architectural vernacular must be applied to non-residential buildings. All commercial buildings shall adhere to the following design standards:
 - a. Old Florida vernacular to be displayed through inclusion of elements including but not limited to: front porches, covered corridors, walkways, pitched and/ or metal roofs, shutters, and paneled siding.
 - b. Roof overhangs are required on all commercial buildings.
 - c. If flat roofs are used, they are to be enclosed from SR80 view by parapets, mansards or a combination of the two.
 - d. Facade treatments are to be provided in accordance with LDC 4-91(b)(2).
 - e. Exterior building colors to be derived from earth tones with subtle hues of primary building color.
 - f. Structures shall reflect similar architectural features such as style, materials, details, and color.
6. The signage, dumpster enclosures and accessory structures must demonstrate a common design and architectural theme and color palette at the time of building permit review.
7. Dumpster facilities shall be fully enclosed by a masonry wall that is complimentary to the principal structure and located away from/or hidden from view of the SR 80 right-of-way.
8. Access to dumpster facilities is limited to internal to the site and prohibited along rights-of-way.
9. Car wash bays shall be located so that they are not visible from the SR 80 right of way.
10. No outdoor piped/amplified music or speaker system is permitted.
11. The State Road 80 right-of-way buffers must be a minimum of 15-foot wide and contain six (6) large trees per 100 linear feet, two (2) medium trees per 100 linear feet, a double hedgerow installed at 24 inches and maintained at a minimum of 36 inches, and planted on a 2-foot tall berm.
12. The northern and eastern buffers must be a minimum of 10-foot wide planted on a 2-foot tall berm and containing a double hedgerow installed at 24 inches and maintained at a minimum of 36 inches, and (1) large tree every fifty (50) linear feet or one (1) medium tree per 30 linear feet.
13. Site construction plans must demonstrate an internal sidewalk system that connects

- the proposed buildings to the external sidewalk network.
14. Site construction plans must demonstrate a minimum 5-foot sidewalk where the property abuts Selma Daniels Avenue and Miller Avenue.
 15. Any modifications to the site plan, conditions, or change in vendor will require a new Special Exception permit.
 16. This Special Exception approval is valid for a period of two (2) years from the date of the resolution. By which time of construction must commence pursuant to appropriate City permits. Any modifications to the site plan, conditions, or building elevations will require a new Special Exception permit.

SUGGESTED MOTION(S):

APPROVAL:

I make a motion to approve the Derek's Detailing Special Exception.

APPROVAL WITH CONDITIONS:

I make a motion to approve the Derek's Detailing Special Exception, with the following condition(s):

- 1) as outlined in the staff report;
- OR**
- 2) as outlined in the staff report and amended as follows;
- OR**
- 3) with the following conditions:

DENIAL:

I make a motion to deny the Derek's Detailing Special Exception. The request does not meet the Special Exception criteria:

**CITY OF LABELLE
RESOLUTION 2026-05
DEREK’S DETAILING
SPECIAL EXCEPTION**

A RESOLUTION OF THE CITY OF LABELLE, FLORIDA, ALLOWING FOR AN EXTENSION OF A SPECIAL EXCEPTION IN THE CITY OF LABELLE; TO ALLOW FOR A CAR WASH IN THE STATE ROAD 80 OVERLAY DISTRICT AT THE SUBJECT PROPERTY LOCATED AT 240 & 250 SELMA DANIELS AVENUE, CITY OF LABELLE, FLORIDA; PROVIDING FOR IDENTIFICATION OF THE SUBJECT PROPERTY; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Derek’s Detailing & Pressure Cleaning, LLC, the Applicant, has filed Special Exception to allow for an extension of the car wash in the State Road 80 Overlay District at the subject property located at 240 & 250 Selma Daniels Avenue in the City of LaBelle; and,

WHEREAS, a duly advertised public hearing was held on February 12, 2026 before the City of LaBelle City Commission; and,

WHEREAS, the City Commission for the City of LaBelle has determined that the requested Special Exception will further the goals and objectives of the City of LaBelle Comprehensive Plan and Land Development Code; and,

WHEREAS, the City Commission for the City of LaBelle has determined that the requested Special Exception meets the criteria for approval in accordance with Chapter 4, Section 4-41, of the Land Development Code; and,

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of LaBelle, Florida:

Section 1. The forgoing recitals are true and correct and are incorporated herein by this reference.

Section 2. The above-mentioned Special Exception application is hereby granted to allow for a car wash in the SR 80 Overlay District on the subject property located at 240 & 250 Selma Daniels Avenue, City of LaBelle, Florida, subject to the following conditions:

1. The special exception is limited to a 3,000 SF car wash, office and three (3) car wash bays.
2. Auto repair or maintenance and repair service shall be prohibited.
3. Development must be in accordance with the Special Exception Site Plan, Exhibit ‘A’.
4. Prior to site construction plan submittal, the developer shall obtain building elevation approval by the City Commission principal structures/buildings to be

- 46 developed. Any substantive changes to building elevations from what was approved
 47 by the City Commission must be reviewed and approved by the City Commission.
- 48 5. A consistent Old Florida architectural vernacular must be applied to non-residential
 49 buildings. All commercial buildings shall adhere to the following design standards:
- 50 a. Old Florida vernacular to be displayed through inclusion of elements
 51 including but not limited to: front porches, covered corridors, walkways,
 52 pitched and/ or metal roofs, shutters, and paneled siding.
- 53 b. Roof overhangs are required on all commercial buildings.
- 54 c. If flat roofs are used, they are to be enclosed from SR80 view by parapets,
 55 mansards or a combination of the two.
- 56 d. Facade treatments are to be provided in accordance with LDC 4-91(b)(2).
- 57 e. Exterior building colors to be derived from earth tones with subtle hues of
 58 primary building color.
- 59 f. Structures shall reflect similar architectural features such as style, materials,
 60 details, and color.
- 61 6. The signage, dumpster enclosures and accessory structures must demonstrate a
 62 common design and architectural theme and color palette at the time of building
 63 permit review.
- 64 7. Dumpster facilities shall be fully enclosed by a masonry wall that is complimentary
 65 to the principal structure and located away from/or hidden from view of the SR 80
 66 right-of-way.
- 67 8. Access to dumpster facilities is limited to internal to the site and prohibited along
 68 rights-of-way.
- 69 9. Car wash bays shall be located so that they are not visible from the SR 80 right of
 70 way.
- 71 10. No outdoor piped/amplified music or speaker system is permitted.
- 72 11. The State Road 80 right-of-way buffers must be a minimum of 15-foot wide and
 73 contain six (6) large trees per 100 linear feet, two (2) medium trees per 100 linear
 74 feet, a double hedgerow installed at 24 inches and maintained at a minimum of 36
 75 inches, and planted on a 2-foot tall berm.
- 76 12. The northern and eastern buffers must be a minimum of 10-foot wide planted on a
 77 2-foot tall berm and containing a double hedgerow installed at 24 inches and
 78 maintained at a minimum of 36 inches, and (1) large tree every fifty (50) linear feet
 79 or one (1) medium tree per 30 linear feet.
- 80 13. Site construction plans must demonstrate an internal sidewalk system that connects
 81 the proposed buildings to the external sidewalk network.
- 82 14. Site construction plans must demonstrate a minimum 5-foot sidewalk where the
 83 property abuts Selma Daniels Avenue and Miller Avenue.
- 84 15. Any modifications to the site plan, conditions, or change in vendor will require a
 85 new Special Exception permit.
- 86 16. This Special Exception approval is valid for a period of two (2) years from the date
 87 of the resolution. By which time of construction must commence pursuant to
 88 appropriate City permits. Any modifications to the site plan, conditions, or building
 89 elevations will require a new Special Exception permit.
- 90

91 **Section 3. Severability.** In the event that any portion of this resolution is for any reason held
92 invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a
93 separate, distinct and independent provision, and such holding shall not affect the validity of the
94 remaining portions of this resolution.

95
96 **Section 4. Effective Date.** This Resolution shall become effective immediately upon its
97 adoption.

98
99 **PASSED AND ADOPTED** in regular session this ____ day of _____,
100 2026.

101
102
103
104
105 **THE CITY OF LABELLE, FLORIDA**

106
107
108 By: _____

109 Julie C. Wilkins, Mayor

110 Attest: _____
111 Tijauna Warner, Deputy City Clerk
112
113

114 APPROVED AS TO FORM AND
115 LEGAL SUFFICIENCY:

116
117
118 By: _____
119 Derek Rooney, City Attorney
120
121

122	Vote:	AYE	NAY
123			
124	Mayor Wilkins	_____	_____
125	Commissioner Vargas	_____	_____
126	Commissioner Spratt	_____	_____
127	Commissioner Holland	_____	_____
128	Commissioner Ratica	_____	_____

LEGAL DESCRIPTION

131
132
133
134
135

Parcel 1:

136 Lot 28, MILLER'S SUBDIVISION, according to the map or plat thereof as recorded in Plat
137 Book 2, Page 88, of the Public Records of Hendry County, Florida.

138
139 Less and Except that portion as described in the Order of Taking recorded in Official
140 Records Book 496, Page 1260, Public Records of Hendry County, Florida.

141
142 Parcel 2:

143
144 Lots 29 and 30, MILLER'S SUBDIVISION, according to the map or plat thereof as recorded in
145 Plat Book 2, Page 88, Public Records of Hendry County, Florida.

146
147 LESS AND EXCEPT the following as described in Order of Taking recorded in Official Records
148 Book 496, Page 1260 of the Public Records of Hendry County, Florida:

149
150 Begin at the Southwest corner of said Lot 30; thence North 33°14'46" East, 65.47 feet along
151 the West line of said Lots 29 and 30 to the beginning of a curve to the right; thence continuing
152 along said West line, the arc of said curve having a radius of 2,814.79 feet, a central angle of
153 00°38'55", an arc length of 31.87 feet, the chord for which bears North 33°12'21" East to the
154 Northwest corner of said Lot 29 and to the end of said curve; thence North 89°27'49" East,
155 9.66 feet along the North line of said Lot 29 to the beginning of a curve to the left; thence along
156 the arc of said curve having a radius of 2,806.79 feet, a central angle of 00°45'32", an arc length
157 of 37.18 feet, the chord for which bears South 33° 15'39" West to the end of said curve; thence
158 South 32°52'53" West, 59.90 feet to the South line of said Lot 30; thence South 89°24'40" West,
159 10.09 feet along said South line to the Point of Beginning.

